

UNIVERSITY OF TORONTO



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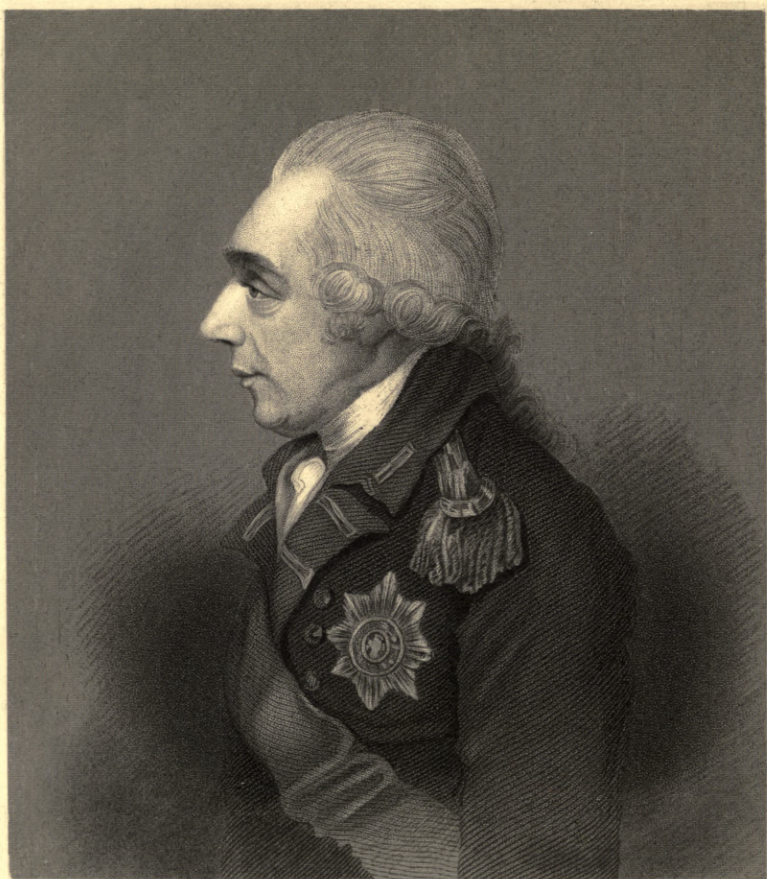


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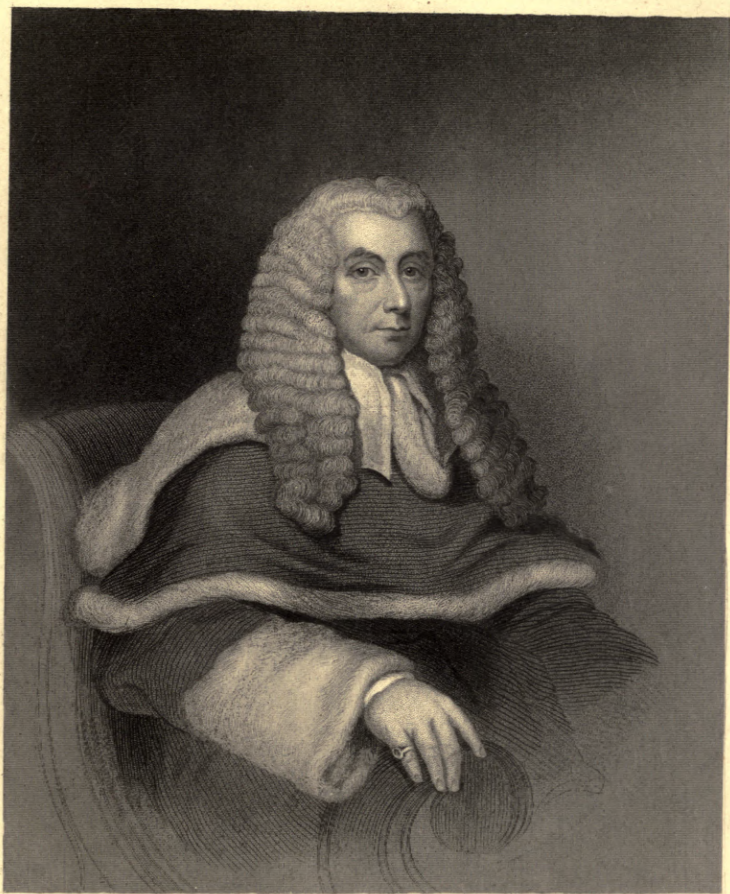


S. Freeman

EARL OF CHARLEMONT

A. Fullarton & Co. London & Edinburgh.

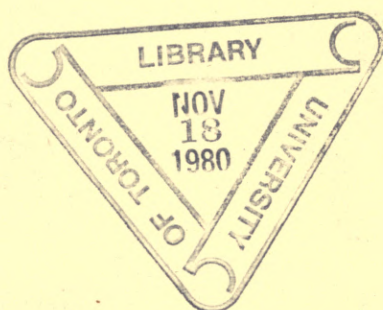




THE R<sup>t</sup> HON<sup>ble</sup> CHARLES KENDAL BUSHE



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E. Hawkes.

S. Freeman.

MAJOR GEN<sup>RL</sup> SIR ROBERT ROLLO GILLESPIE, K.C.B.

A. Fullarton & C<sup>o</sup> London & Edinburgh.



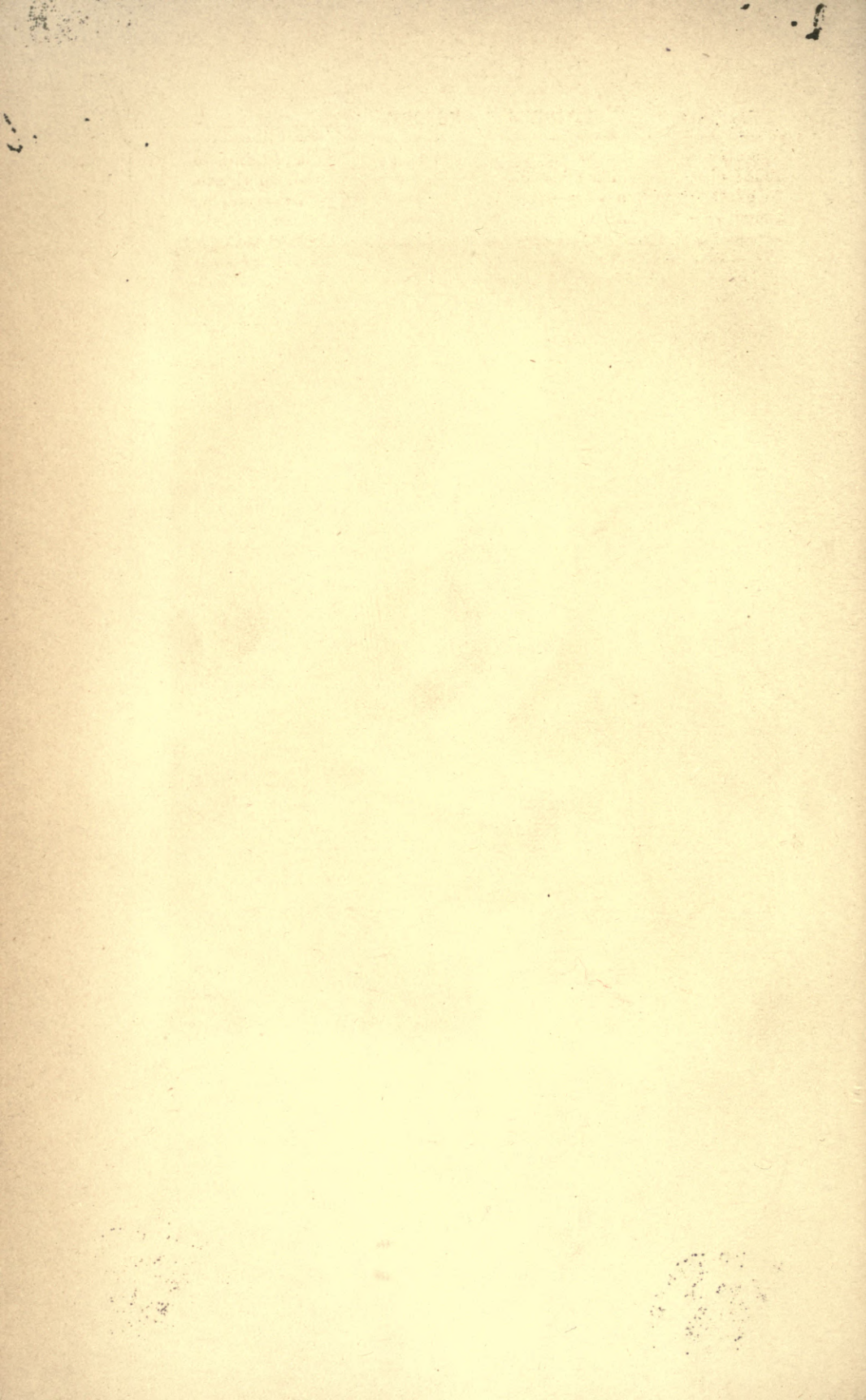


Sir T. Lawrence

W. Hall

*Castlereagh*

CASTLEREAGH.





Ontario  
Ireland

THE  
IRISH NATION.  
MODERN.

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FIELD-MARSHAL VISCOUNT GOUGH.

BORN 1779—DIED 1869.

THE honours and distinctions of this gallant Irishman form a considerable list, and were all of his own earning. The Right. Hon. Sir Hugh Gough, first Viscount Gough, of Goojerat, in the Punjaub, and of the city of Limerick, and Baron Gough of Chin-kean-foo in China, and of Maharajpore and the Sutlej in the East Indies, in the peerage of the United Kingdom; and a Baronet, K.P., G.C.B., G.C.S.I., P.C., a Field-marshal in the army, Colonel of the Royal Horse Guards Blue, Colonel-in-chief of the 60th Rifles, and Honorary Colonel of Volunteers, was born, November 3, 1779, at Woodstown, the country seat of his father, who was Lieutenant-Colonel of the Limerick Militia. He was a descendant of the Right Rev. Francis Gough, Bishop of Limerick in 1626. The fortune of the family was thus founded in the county by a bishop, in days when Irish bishops seldom failed to feather their nests; more than two hundred years later it was ennobled by a soldier. Hugh Gough was a fourth son; his mother was Letitia the daughter of Mr Thomas Bunbury of Lisnevagh and Moyle, in county Carlow; and he was educated at home, under her pure and refining influence, by a private tutor. At the early age of thirteen he obtained a commission in his father's regiment of militia, from which he was transferred to the line, his commission as an ensign in the army dating from the 7th of August 1794, and that of lieutenant from a month or two later. His regiment was the 109th foot, and we find him serving as adjutant of that corps at an unusually early age. On the disbanding of this regiment, he passed into the 78th Highlanders, which he joined in 1795 at the Cape of Good Hope, in time to take part in the capture of that colony, and in that of the Dutch fleet in Saldanha Bay. The second battalion of the 78th Regiment having been reduced, we next find him serving in the 87th (the Royal Irish Fusiliers) in the West Indies, and present at the attack on Porto Rico, and the capture

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of Surinam, and taking part in the brigand war in St Lucia. He had already gained a high reputation for soldierlike ability, when, in 1809, he proceeded to the Peninsula to join the army under the Duke of Wellington. As major, he had the temporary command of his regiment then before Oporto, and at its head took a brilliant part in the operations by which Soult was dislodged. His next scene of action was Talavera, where he was severely wounded in the side by a shell while charging the enemy, and had his horse shot under him. On this occasion his conduct was so distinguished, that the Duke of Wellington recommended him for promotion to a lieutenant-colonelcy, urging also that his commission should be antedated from the date of his despatch; and it is remarked,\* in reference to this fact, that Hugh Gough was the first officer that ever received brevet rank for services performed in the field at the head of a regiment. At Barrosa, his regiment was greatly distinguished, and had a large share in turning the fortunes of the day. Among the spoils of the battle was a French Eagle, the first taken during the war. It belonged to the 8th Regiment of the enemy's light infantry, and bore a collar of gold round its neck, an honour conferred on that regiment because it had distinguished itself so much as, on a former occasion, to deserve the thanks of Bonaparte in person. It has ever since been borne as an honourable achievement on the colours of the Royal Irish. It is almost needless to add, that the conduct of the Royal Irish and their gallant leader at Barrosa, was mentioned in terms of the highest praise in the General's despatches. "The animating charges of the 87th," writes General Graham, "were most distinguished. No expression of mine could do justice to the conduct of the troops throughout. Nothing less than the unparalleled exertions of every officer, the invincible bravery of every soldier, and the most determined devotion to the honour of His Majesty's arms in all, could have achieved such brilliant success against such a formidable enemy so posted." We next find him taking part in the defence of Tarifa, where the porteullis tower and rampart, as the post of danger, were entrusted to him and his regiment, and where they greatly distinguished themselves in repulsing the final attack of the enemy and compelling him to raise the siege. Colonel Skervet on this occasion, in his despatch to Major-General Cook, was fully justified when he wrote, "that the conduct of Colonel Gough and the 87th exceeded all praise." Their conduct was scarcely less distinguished at Vittoria, where the 87th captured the baton of Marshal Jourdain, the only trophy of this kind taken during the war. Lord Wellington sent it to England to be laid at the feet of the Prince Regent, who in return sent him the baton of a field-marshal of England. At the battle of Nivelle, a hard-fought field, Gough was again severely wounded, and was rewarded for his gallantry with the Gold Cross, and shortly afterwards received the Order of St Charles from the King of Spain. For his services at Tarifa and elsewhere, his countrymen, proud of him as an Irishman, presented him with the freedom of the city of Dublin, and with a sword of considerable value.

Returning to England at the close of the war, he enjoyed a brief in-

\* Hart's Army List.

terval of repose; after which he was appointed to the command of the 22nd Foot, then stationed in the county Cork. This was in the interval between 1821 and 1824. At the same time he discharged the duties of a magistrate of the three adjoining counties, Cork, Limerick, and Tipperary, during a period of great excitement and disturbance. In 1830, at the age of fifty-one, he attained the rank of field-officer; and seven years later he was called again into active service in India, where he was destined to win a name in history as one of England's victorious generals. Not long after he had proceeded to India, in order to take the command of the Mysore Division of the army, difficulties arose at Canton, which required the presence of an able and energetic military commander. It is not within our province to dwell on the causes of that war, or to enter into the history of the events which led to the attack on Canton, but we cannot do better than recapitulate Gough's services in China, in the eloquent words of Lord Derby (then Lord Stanley), spoken in his place in Parliament:—"I turn much more gladly to contemplate the triumphant position in which England and the British forces then stood. A force, consisting of 4500 effective men, under Sir Hugh Gough; a fleet of 73 sail, including one line-of-battle ship; 16 vessels of war of different descriptions, and 10 war steamers, had forced their unassisted way, conquering as they went, up this mighty and unknown stream, the Yang-tze-kiang, and penetrated a distance of 170 miles, to the centre of the Chinese Empire. They had achieved the conquest of towns and fortresses, mounting in all above 2000 guns, which they had captured or destroyed, including Amoy, Chusan, Chapoo, Voosung, and Shanghai. They had subdued cities containing a population varying from 1,000,000 down to 60,000 or 70,000. They had continually routed armies four or five, and sometimes ten times their own number; and they had done all this at a great distance from their own resources, and in the heart of an enemy's dominions, half across the globe from their own native country. In the course of all these proceedings they had maintained not only constant and uninterrupted gallantry, but a soldierlike temperance and discipline, which reflected on them a glory of the purest character—on them and on their leaders, Sir H. Gough and Sir W. Parker; and now at length they had enabled Her Majesty's plenipotentiary, at the head of a powerful fleet, and a highly disciplined army, to dictate peace on the terms prescribed by his sovereign, and had obtained this peace on terms of perfect equality at the hands of the Emperor of China."

On the conclusion of the treaty of Nankin, in 1842, when the British troops were withdrawn, Sir Hugh Gough was created a baronet, and invested with the Grand Cross of the Bath. He also received the thanks of both Houses of Parliament, and of the East India Company, for his Chinese services: the Duke of Wellington proposing the vote in the Lords, and Lord Stanley in the Commons.

In August 1843, Sir Hugh Gough was appointed to the post of Commander-in-Chief of the Forces in India. Here, too, he well sustained the reputation he had won in the West Indies, the Peninsula, and China. He reached India in troublous times; but having gained the two important victories of Maharajpore and Puniar, Lord Ellen-



borough was enabled to dictate a peace under the walls of Gwalior. His next important operations were against the Sikhs in the Punjab, where he was ably seconded by his gallant Peninsula comrade Henry Viscount Hardinge—who then held the Governor-Generalship. The Sikhs had long shown signs of intended mischief, and in 1845 they forced on a rupture with the Indian Government, and crossed the Sutlej in vast numbers. The Governor-General was a most distinguished soldier himself, but he remembered that he held the supreme civil command, and that the command of the troops belonged by right to his old companion-in-arms, Sir Hugh Gough, under whom, however, he volunteered to serve. Gough consented, and, ably supported by Lord Hardinge, gave battle to the Sikhs at Moodkee on the 18th of December, and on the 21st at Ferozeshah, where he carried by assault the intrenched camp of the enemy, with ammunition stores and seventy pieces of cannon. This he followed up by a third and even more decisive victory, that of Sobraon, on the Sutlej, which was speedily followed by the total rout of the Sikhs, and a peace dictated on our own terms before Lahore.

The Sikhs having laid down their arms, it was hoped for ever, Sir Hugh Gough was created a peer in April 1846, as Baron Gough, of Chin-kean-foo in China, and of Maharajpore and the Sutlej in the East Indies, in the peerage of the United Kingdom. But the Sikhs, though subdued for the time, were not conquered. In 1848 the ashes of the Sikh war burst into flame again, and Lord Gough was forced once more to take to the field. With the dash and energy of a younger man, he went out to meet them, and defeated them a fourth time at Ramnuggur, and again at the sanguinary and indecisive battle of Chillianwallah. His crowning victory was at Goojerat, where the Sikh power was finally and decisively broken, and the fugitives were pursued by Sir Walker Gilbert beyond the Indus, and being outmarched, as well as defeated, had to lay down their arms.

Upon Lord Gough's return to England, he was advanced to a viscounty, by the title of Viscount Gough of Goojerat in the Punjab, and of the city of Limerick; at the same time he again received the thanks of both Houses of Parliament, together with a pension of £2000 a-year for himself and his two next successors in the peerage. The East India Company followed the example of the Imperial Legislature, voting him their thanks, and settling on him a corresponding pension; and the city of London conferred on him its freedom.

From that date Lord Gough saw no active service, but the nation did not forget him. He was appointed Colonel-in-chief of the 60th Rifles in 1854; in the following year he succeeded Lord Raglan as Colonel of the Royal Horse Guards; and in the year 1856 he was sent to the Crimea to represent Her Majesty on the occasion of the investiture of Marshal Pellissier, and a large number of our own and of the French officers, with the insignia of the Bath. In 1857 he was installed a Knight of the Order of St Patrick, being the first knight who did not hold an Irish Peerage. In 1859 he was sworn a Privy Councillor; in 1861 he was nominated a Knight Grand Commander of the Star of India, and was appointed to the honorary Colonelcy of the London Irish Volunteers; in November 1862, on the occasion of the Prince of

Wales coming of age, he received the latest reward of a long life spent in the service of his country in the shape of a Field-marshal's baton.

He died on the 2d of March, 1869, at his residence, St Helen's, Booterstown, and was succeeded in the peerage by his son. Lord Gough, as a commander, showed the characteristics of his nation; he was hot and impetuous, and perhaps somewhat rash. With foes one half as brave and determined as the troops he commanded, his Indian battles might have been less glorious in their issue. His conception of a battle was good; but in working out its details he did not always avoid or guard against those unfortunate mistakes by which English battles are so often marred. Yet, taking all in all, he stands amongst our greatest generals; simple and affectionate, brave to excess in the field, humble and deeply religious, Lord Gough was looked up to by his profession and beloved in Irish society, of which, when his military career was over, he was long an ornament and a pride.\*

## THE EARL OF BESSBOROUGH.

BORN AUGUST 1781—DIED MAY 1847.

THE Right Hon. John William Ponsonby, fourth Earl of Bessborough, born August 31, 1781, was the eldest son of Frederick, third Earl of Bessborough. His Lordship, who was better known as Lord Duncannon, was returned in 1805 as member of Parliament for Knaresborough, and sat successively for Higham-Ferrers and Malton. In 1826 he was returned for his native county, Kilkenny, and again in 1831; but in 1832, he was displaced by the repeal movement, when, rather than divide the Liberal party, he withdrew from the contest. He next appeared in Parliament as member for Nottingham. Though not possessed of brilliant talents, he was for many years one of the most active members and chief councillors of the Whig party. In 1831, Lord Duncannon was appointed First Commissioner of Woods and Forests, and was at the same time sworn a Privy Councillor. He continued in that office till the month of August 1834, when he was entrusted by Lord Melbourne with the seals of the Home Office. In April 1835, on the restoration of Lord Melbourne's ministry, Lord Duncannon was appointed to his former office of First Commissioner of Woods and Forests, and was also at the same time entrusted with the custody of the Privy Seal. These two offices remained thus united until, on the 16th of October 1839, Lord Claren-

\* We regret that original materials for Lord Gough's memoir have not enabled us to do justice to the recent memory of this gallant veteran. It is scarcely worth weaving into one of greater length, the well-worn threads of his life which we have used in this short sketch. When sufficient time shall have passed away, Lord Gough's son intends to undertake the publication of a memoir himself. It sometimes happens, however, that when all contemporaries, whose feelings might be hurt, are gone from the scene, the time for publication has also gone by, and the details, which if published immediately would have been read by all the world with interest, are looked upon as mere rubbish of the past, and perused by few or none.

don was appointed Privy Seal, Lord Duncannon retaining the office of Woods and Works. While filling this office, he deservedly earned the gratitude of the public for the manner in which he effected most of the tasteful improvements of the parks of London and of the Phoenix Park in Dublin. In February 1844, by the death of his father, Lord Duncannon became, in the sixty-third year of his age, fourth Earl of Bessborough. When Lord Russell became Premier, in July 1846, the Earl of Bessborough was appointed Lord-Lieutenant of Ireland. His tenure of the viceroyalty, though of brief duration, was rendered painfully remarkable by a crisis of unexampled magnitude in the history of Ireland, when famine and pestilence spread death and desolation throughout the length and breadth of the land. The condition of the country at the time the Earl of Bessborough became viceroy, and the character of his administration, have been fairly described by a Dublin journal, when announcing his death in the office of Lord-Lieutenant:—

“It is for the last stage of his quiet, though valuable life,” says the *Freeman's Journal*, “that Lord Bessborough's name will be held in undying remembrance. He assumed the reins of power when men of less resolute and practical minds refused the perilous duty of governing a country whose social bonds were on the verge of dissolution, where famine had made a fearful and desperate lodgment, where all classes were filled with horror for the present and alarm for the future, where the poor man was dying, the rich man desponding; and poverty and property struggled in death grips for the triumph and ascendancy. There never was in the history of this country a more repelling period, with less to invite and more to intimidate. It was in this terrible exigency that the Earl of Bessborough came among us. All welcomed him as the representative of a house long dear to Ireland, and as containing in his own character many of those elements which could not fail to inspire popular confidence, and win the respect and forbearance of all parties. From the moment of his arrival, not a harsh word was spoken of his administration. He stilled the bitterness of party, and by his measures, as well as by the kindness of his manner and amenity of his temper, he brought all to love, to admire, and now to regret him.”

He died on the 16th of May 1847, at Dublin Castle. He was the second viceroy who died during his tenure of office—the first was George, fourth Duke of Rutland, who died some sixty years previously, in the year 1787. The Earl of Bessborough married, November 1805, Lady Maria Fane, third daughter of John, tenth Earl of Westmoreland, by whom he had issue seven sons and six daughters. He was succeeded in his title and estates by Lord Viscount Duncannon, M.P., Lord-Lieutenant and Custos Rotulorum for Carlow.

#### CHIEF-JUSTICE DOHERTY

BORN 1786—DIED 1850.

THE life of John Doherty, Lord Chief-Justice of the Court of Common Pleas, Ireland, affords a striking illustration of social success, for it is



certain that he owed his elevation to the high rank he attained far more to his personal talents, his polished manner, and his political connection, than to his legal abilities, or the estimation in which he was regarded as a lawyer. He had no advantages from birth or fortune. The son of an attorney, living in no very great style, he yet took a good place among the distinguished lawyers who then raised the Irish bar to an honourable position, both in respect of attainments and eloquence. These men, when Ireland ceased to have her native Parliament, atoned, in some degree, for the loss of the "Lords and Commons of Ireland, in Parliament assembled"—and they upheld the fame of their country for intellectual, as distinguished from mere professional distinction.

In the now very unfashionable street in Dublin called Stephen Street, there lived, towards the close of the eighteenth century, an attorney named Hugh Doherty. This street, extending from Longford Street to Mercer Street, though now occupied by provision shops, leather sellers, furniture brokers, and other traders, bears the impress of former respectability in large houses, some of them quaintly gabelled, and curiously adorned. Many of the finest of these mansions are let to lodgers in tenements, and to this fate has fallen the dwelling in which Hugh Doherty, Attorney-at-Law, breathed his last. He left a widow, and several children, sons and daughters. One of his sons, John Doherty, whose career forms the present memoir, afterwards the Lord Chief-Justice of the Irish Court of Common Pleas, was born about the year 1786. After her husband's death the widowed Mrs Doherty removed with her family to a small house in Stephen's Green. John Doherty received a good education, and by his application rewarded his teacher's care.

Having his mind well stored by his school training, John Doherty entered Trinity College, Dublin, and completed his university career by taking his Bachelor's degree in 1806.\* He was at all times fond of literature, and resolving to follow the legal profession, read law as a student of the King's Inns. His intellectual qualities were of a superior order. His understanding, though perhaps not capable of grasping very subtle or abstract principles, was clear and tenacious. He possessed deep natural feeling and refined taste, both productive of poetical talent, which soon displayed itself. It is to be regretted that the productions of this Chief-Justice of the Common Pleas have not been published.

My informant states that he read a manuscript poem on "The return of the British Army from the Peninsula," which well merited being printed, but nothing could induce Mr Doherty to appear as an author.

He was called to the Irish bar in Hilary Term 1808; an able man was called about the same time, Francis Blackburne. The legal profession in Ireland at this period boasted, as we have observed, many whose names form a list of excellent lawyers: Plunket, Bushe, Burton, Joy, Edward and Richard Pennefather, Robert Holmes, O'Connell, and others. By the Union, being deprived of the arena of politics, which, for

\* He subsequently became an LL.D. in 1814.

many years, before the close of the last century, had divided their attention with the studies and practice of their profession, they concentrated all their energies upon law, and became in consequence the foremost advocates of the day. Some had been trained debaters in the Irish House of Commons, and their renown in oratory fired many an aspiring youth to distinguish himself by the same means. Hence, perhaps the technicalities of the profession were too little attended to, while a flowery mode of speaking was practised. Bushe, who was renowned for the grace and beauty of his style, was much imitated. Doherty was connected with the Bushes of Kilkenny, and naturally felt proud of the fame of his kinsman.

Mr Doherty soon became very popular with his brethren of the bar. He did not aspire to any very lofty eloquence, and was satisfied to be regarded as a clever man, instead of a great lawyer. Indeed, there was little of the lawyer about him, and if any one met him sauntering down Grafton Street, or in one of the Dublin Squares, his tall gentlemanly figure, always well dressed, his erect bearing, and pleasant countenance, had more the air of a dragoon officer in mufti, than a leading member of the Irish bar. His manners partook of the same character; they were frank and confiding; and his love of agreeable society was a marked feature throughout his whole career.

In 1823 he was honoured by Lord Manners, then Lord Chancellor, with a silk gown. The patronage of naming king's counsel rests with the Lord Chancellor of Ireland.

Mr Doherty's connection with the celebrated statesman, George Canning, naturally caused him to desire a seat in Parliament. He was supported by the Marquis of Ormond in contesting the city of Kilkenny in 1826, and, although opposed by a scion of the house of Ormond, Pierse Somerset Butler, Mr Doherty was elected after a very severe contest. About this time he married Miss Wall of Coolnamuck, who belonged to a family of the highest respectability, but impaired fortunes, and the late eminent Dr Wall, Fellow of Trinity College, Dublin, was one of the trustees of the marriage settlement. There were several children of this union.

Mr Doherty's practice continued to increase on his circuit, where his ability as a speaker, and his reputation as a good cross-examiner of witnesses, caused him to be in much request. But he was not a mere lawyer, a "book in breeches," as some one more pithily than elegantly said; he always displayed a taste for literature, and accepted the office of Commissioner of Education. He also mixed in the troubled sea of politics. When Mr Canning became prime minister in 1827, Mr Doherty was named for the office of Solicitor-General for Ireland; but a difficulty arose from a quarter where certainly none was expected,—the Irish Lord Chancellor refused to swear him into office. The reason alleged was that he, Mr Doherty, was too junior a member of the bar to be lifted over the heads of the seniors. Now, it was notorious that he was of much longer standing in the profession than many who filled the office. Not to refer to any date prior to the present century, I may mention Mr M'Clelland, who was appointed Solicitor-General in 1802, called in 1789, thus only thirteen years at the bar; Mr Plunket, Solicitor-General in 1803, who was only sixteen years called; and Mr



Bushe, appointed in 1805, only thirteen years called. Thus practice and precedent were against the point raised by the Chancellor, for Mr Doherty had been called twenty years. His appointment was regarded with satisfaction by the Roman Catholics, as he was considered much more favourable to their claims than Mr Joy, named as Attorney-General. He had good temper, discretion, and that happy tact which tends to keep the discordant elements of Irish society from disturbing the Ministerial peace. The will of the people prevailed over the reluctant Chancellor, and John Doherty was duly gazetted the King's Solicitor-General for Ireland. He was again in the House of Commons, where his talents as a debater and knowledge of Irish affairs gained him a high reputation. He was, as might have been expected, a staunch supporter of the principles of Mr Canning, and equally opposed the section of the Whig party which adhered to Lord Grey, as to the Tories, then led by Mr Peel.

Unfortunately the qualities which the Solicitor-General possessed as a Crown prosecutor were soon put in requisition. He appears to have been always preferred to the Attorney-General, Mr Joy, whose high legal attainments were not so much regarded in criminal affairs as those of his subordinate law officer.

Mr Doherty's manner and appearance were very winning. His mode of speaking has been said to have much resembled Canning's :

— "An eager and precipitated power,  
Of hasty thought—oustripping in an hour  
What tardier wits, with toil of many a day,  
Polished to less perfection by delay."

His social success in London was greater than that of any Irish barrister since Curran's time. We have been told that when his presence was secured for a dinner party, the other invitations held forth as the attraction, "To meet the Irish Solicitor-General," and there was the greatest avidity at the clubs where he was accustomed to dine to secure the next table, and thereby come in for some of the good things which emanated from this fascinating companion.

One of the important criminal cases in which Mr Doherty prosecuted as Solicitor-General deserves mention here.\* It is the case called "The Doneraile Conspiracy," which was tried before Baron Pennefather and Judge Torrens at Cork. A conspiracy, it was alleged, was formed to murder Admiral Evans, Mr Creagh, and Mr Low, magistrates, resident near Doneraile, in that county. The Solicitor-General and several members of the Munster Circuit appeared for the Crown; the prisoners were defended at first by Messrs Pigot and M'Carthy—subsequently by Daniel O'Connell. The Solicitor-General stated the case for the prosecution in an eloquent and impressive speech, which was rendered more effective by the excitement within and without the court. The first batch of conspirators comprised four; one, named Leary, was an old and respectable tenant of Mr Creagh's father, and paid a rent of £220 a-year for his holding. The principal evidence was that of a professional spy and informer, who was backed by two scoundrels, and their allegation was that the conspiracy was hatched in a hut in Rath-

\* An excellent etching of him is engraved.

clair on the fair-day, when the old man, Leary, got the men assembled to sign a promise to murder. That there had been attacks upon Mr Low, and upon Dr Norcott's carriage in mistake for Mr Creagh's, was proved in corroboration, and this was the entire evidence against the prisoners. It was rendered improbable by the obvious falsity of a tale inserted into their evidence by the informers, that "if Mr Batwell of Charleville was shot, Mr Daniel Clanchy, a highly respectable magistrate and a deputy-lieutenant of Cork, would give two hundred pounds to the man who shot him." The counsel for the defence, however, were both young men, without experience, and they failed to break through the brazen assurance of the witnesses. The witnesses to character availed nothing, although one of them was the father of Mr Creagh, and Leary's landlord. The disturbed state of the country, the attempts upon life, and the state of alarm and excitement into which the middle and upper classes were thrown, gave rise to a strong desire to offer up victims, and inflict retribution on somebody: so that where it was so difficult to procure any evidence, the worst was credited. The verdict of "Guilty" was returned, and the four prisoners were sentenced to be hanged within a week. This was on a Saturday, and the friends of the remaining prisoners were in great alarm; they knew that all depended on breaking down the informer's evidence; there was but one man who could be trusted to do it, and that was the first criminal lawyer of the day, Daniel O'Connell. Both counsel urged that he should be sent for without delay, and Burke, a friend of the prisoners, volunteered to go. Mr O'Connell was at his country seat, Derrynane, ninety miles from Cork, in a remote part of the county Kerry. It was five o'clock when Burke started on horseback. All night long he urged his horse through the defiles of the county Kerry, and the sun had risen over the wild iron-bound coast of Cahirciveen and the cliffs of Lamb's Head, and the promontory separating Bantry Bay from the Kenmare river, and the chapel bells were ringing for first Mass, and the roads were thronged with peasantry in their Sunday garb, before the weary horseman drew rein at the door of Derrynane. O'Connell saw this unusual-looking Sunday morning visitor approaching, and divined that he was a messenger on some important business. He ordered him to be shown in at once.

"What brings you here to-day, my man?" said O'Connell.

"Life or death, Counsellor," replied Burke. "At five o'clock last evening I left Cork, and I rode since ninety long miles to tell you that if you don't come to Cork to defend the next of the poor boys that are to be tried at the Commission, Doherty will hang every one of them."

O'Connell knew that this was very probably true, and that the young men who had charge of the defence were quite incompetent to deal with the class of witnesses who made their livelihood by prepared evidence or treachery. Burke having got the Counsellor's promise to follow, started on his return, and, as Monday morning dawned, was seen approaching Cork; after a journey of 180 miles performed on the same horse in thirty-eight hours. From early dawn his advent was eagerly watched and waited for, and when to the inquiry, "Is he coming?" the joyous answer was returned, "O'Connell will be here in an hour,"

a shout arose that broke the slumbers of judges and counsel. Mr O'Connell was as good as his word; in his light gig he drove all night and early morning through the grandest scenery in Ireland,—a strange contrast in its silence and sublimity to the scene he was hastening to as an actor. As he himself said, "At ten o'clock that morning, after that glorious feast of soul, alas! I found myself settled down amid all the rascalities of an Irish Court of Justice."

When Mr O'Connell entered the Court-house, the Solicitor-General was stating the case against the prisoners then on trial. O'Connell took advantage of the interruption caused by his entrance to apologise to the Judges for not appearing in more professional garb than his green frock coat. He also asked leave to have some refreshment in Court, as he had been travelling all night. This was readily acceded to, and a bowl of milk, some bread, and meat, constituted a repast which his long and rapid journey made most acceptable. It was plain, however, that while Mr O'Connell was eating his breakfast, he was attentively listening to the address to the jury, which the Solicitor-General had commenced before he entered the Court-house. On hearing some statement, Mr O'Connell immediately cried out, "*That's* not law." The Judges were appealed to, and ruled with Mr O'Connell. Somewhat disconcerted, the Solicitor-General resumed, but had not proceeded much further when Mr O'Connell again interposed. "The Crown," he said, "cannot make such a statement as that; the Solicitor-General has no right to offer such evidence to a jury." Again the Solicitor-General contended he was justified in stating the case he intended to prove; but the Bench again coincided with the prisoners' counsel, and the Solicitor-General's second speech was by no means the triumphant and imposing harangue which impressed the jury on the former day. The men then on trial were named Connor, Lynch, Wallis, and Barrett. The principal witness against them was Daly the spy, who detailed that the conspiracy to murder the magistrates near Doneraile had been a long time hatching; that Admiral Evans was to be shot for speaking in Parliament against the Catholics, that Mr Creagh and Mr Low were also marked men. Daly was corroborated in his story by William Nowlan and David Sheehan, and the infamous character of these three witnesses was a fair field for the unrivalled skill and accurate knowledge of his countrymen possessed by O'Connell. Accordingly he set to work to get the history of their lives from their own lips, and it is stated, "The witnesses trembled under him, and Nowlan, the most infamous character of the lot, cried out, 'Ah! indeed, sir, it's little I thought I'd have to meet you here to-day, Mr O'Connell.'"

Not only did he expose the character of the witnesses for the prosecution, but he bewildered the Solicitor-General himself, and on nearly every point the Court ruled with prisoners' counsel. He also mimicked, with drollery, though without much good taste, the Solicitor-General's voice and manner. When the Crown prosecutor, in an Anglicised tone, bade one of the witnesses leave the table, using the usual words, "You may go down," O'Connell exclaimed, in burlesque tones, "Naw daunt go daune, sir," which, sad to say, convulsed the Court with laughter. Again, when the Solicitor-General



somewhat thoughtlessly said, "That allegation is made upon false facts;" "*False facts*," shouted O'Connell, "Here's a genuine Irish bull! How, in the name of sense, can facts be false?" The Solicitor-General bitterly replied, "I have known false facts and false men too!" At length, the wordy war grew so bitter that the other counsel for the Crown felt it necessary to come to the aid of their leader, by stating "they shared the responsibility of the course he had taken, and nothing was done without their approval."

The Judges then complimented the Solicitor-General, who, in thanking their Lordships, said, "that proud as he felt of the eulogium of the bench, and his brethren of the bar, he was yet more proud of the disapprobation of others," with a significant look towards Mr O'Connell.

The jury, on this occasion, failed to agree to a verdict. They were not satisfied with the story detailed by the witnesses for the prosecution, who, they considered, were not to be credited. Mr O'Connell's success in showing the true character of these wretches, and his triumph over the Solicitor-General, was the subject of conversation throughout the whole country.

A greater success was in store for the prisoners' counsel. When the third trial was entered on, and John Burke and John Shine were standing at the bar, tried for the capital offence, O'Connell, while cross-examining Daly the spy, was handed, by one of the presiding Judges, Baron Pennefather, the information made by Daly before the Justices of the Peace. A very great discrepancy appeared between the sworn deposition and the story told to the jury. This was made known, and the matter was no sooner denounced by Mr O'Connell than the jury unhesitatingly acquitted the prisoners.

This was the crowning triumph, for it was upon the same evidence the men had been convicted in his absence, though neither M'Carthy nor Pigot had the opportunity of seeing this discrepancy. The other cases were not proceeded with. O'Connell had acted wisely if he had rested content with the success he had already gained at the trial. He went on to attack the course taken by the Solicitor-General, whom he denounced at several public meetings, and said he would impeach him for his merciless conduct in withholding Daly's information from the Court. The Solicitor-General's answer was, "That he did not withhold the information of Patrick Daly; that it was upon the bench; and that the Crown did not rest the case upon Daly's evidence at all. That no steps were taken without the advice and approval of Mr Serjeant Goold, Mr R. W. Greene, and Mr George Bennett, three men eminent at the bar, and remarkable for their humane and kind dispositions." The Irish Solicitor-General was not the man to be provoked with impunity. O'Connell stated repeatedly he would bring his conduct before the House of Commons, and there Doherty resolved to fight for his reputation and maintain the propriety of his conduct. O'Connell had triumphed in the Court-house before the people. Doherty knew that he would have a more impartial auditory, and be listened to with more patience by the British House of Commons; so he waited impatiently until O'Connell fulfilled his threat. But O'Connell showed no desire to do so, and frequently, during the session of 1830, the members of the

House of Commons heard the Irish Solicitor refer to the subject, and dare the hon. member to bring forward any charge against him. "I curiously watch," he said, "every stone of the bridge that my adversary so ingeniously lays down for the purpose of running away." Goaded by those taunts, O'Connell at last gave notice for the 12th of May 1830. Having detailed to the House the events which had taken place, Mr O'Connell concluded by moving, that there be laid before the House copies of any deposition or information sworn by Patrick Daly, the witness at the Special Commission held in Cork in October last, relative to certain conspiracies to murder, wherewith Edmond Connor and others were charged on that occasion; and also copies of the notes of the Judges who tried those cases.

The Solicitor-General entered into a very elaborate defence of his conduct when replying to O'Connell. He said he stood there to defend the administration of justice in Ireland from a charge most singular in its nature, and to resist a notion for which there was not, and he trusted never would be, a precedent. He did not deny that he felt an indignant, and he hoped a just, sense of an attempt made, for the first time, to establish an appeal from the Judges and Juries of Ireland to that House; calling upon it, without the benefit of hearing witnesses, without the power even of examining witnesses upon oath, to review, and perhaps to reverse, the solemn decision of a Jury and a Judge, deliberately formed after a patient examination, upon oath, of all those who could give evidence upon the matter. Yet to such a motion was he then called upon to speak, though he had thought a charge was to be brought against himself, directly and exclusively, for his conduct in the case, in having gone on with the examination of a witness whom he knew to be perjured, in order to get, at all events, a verdict against the prisoners. The Solicitor-General then detailed the appointment of the Special Commission, and his having been sent to Cork to conduct the trials, as well as the course of the trial, and the verdict of guilty, although the Judge had on the bench before him the important document, for a copy of which the hon. and learned gentleman now called. He maintained that, without that deposition, there was evidence to convict the prisoners, although from that deposition, on a succeeding day, the Judge saw enough to direct the acquittal of another prisoner. He did not object to the hon. and learned gentleman preferring this charge against him in Parliament, but what he did object to was, that the hon. and learned gentleman had cast the most unfounded imputations upon him in his absence elsewhere, and had attempted to excite public prejudice against him in Ireland. In that country, the charge that public justice was not fairly administered never failed to produce fatal consequences. Nothing could be more unjust than the imputation that he had shown himself callous to the fate of the prisoners at Cork. He then read extracts from O'Connell's denunciations of him at various places, and described his opening speech at Cork as "but the hallooing on of the country gentlemen against the wretched peasantry of the country." Was it proper, he would ask, was it just, thus to describe him? Was he who had passed his whole life amongst the people of Ireland—who had been brought up and lived in the country—was he whose pursuits and avocations brought him into habits of daily inter-

course with the population of Ireland, to be thus held forth as a person employed in "hallooing on the country gentlemen against the wretched peasantry."\* Having denounced in strong language Mr O'Connell's speech at Youghal, the Solicitor-General mercilessly lashed the member for Clare for not having brought before the House the charges he promised to make against him (the Solicitor-General). "He had hastened over from Ireland the first day of the session, expecting to be called, as the hon. member had said, before the bar of the House. He had waited a day or two, allowing something for the modesty of the profession to which the hon. member belonged; he had waited a few days more, allowing something for the hon. member's own modesty; he had waited yet a little longer on account of his peculiar modesty both as an Irishman and a lawyer; but greatly to his surprise, the hon. gentleman made no accusation against him in that House." He also alluded to O'Connell's intemperate speeches respecting the treatment of Ireland, and how he (the Solicitor-General) had always been the zealous advocate of Catholic emancipation. Alluding to Canning, he said,

"Oft has his voice my captive fancy led,  
I loved him living, I adore him dead."

In reference to the Emancipation Act, he said Mr Canning declared that he should rejoice in disappointing the guilty hopes of those who delight not in tranquillity and concord, but in grievance and remonstrance, as screens for their own ambitious purposes, and who consider a state of turbulence and discontent as best suited to the ends they have in view. "That effect the Bill had produced," added the Solicitor-General. It had, by taking away the causes of agitation, falsified the guilty hopes of those who sought distinction amidst trouble, and whose turbulent ambition, which could only be gratified by the violence of party contentions, was disappointed by the general tranquillity and general satisfaction which that healing Act had effected. He concluded by expressing his readiness to give the hon. gentleman the depositions of Patrick Daly, but not the Judge's notes.†

The accession of Earl Grey to office in 1830 occasioned many important changes in Ireland. Sir Anthony Hunt was succeeded as Lord-Chancellor by Lord Plunket. This caused a vacancy on the Common Pleas bench, of which the great Irish orator, Plunket, was Chief-Justice, and to this high place was appointed the Solicitor-General, John Doherty. The appointment created very great surprise. It indicated open war between the Government and O'Connell; for the Solicitor-General had, in his speech on the Doneraile conspiracy, as we have seen, administered the severest castigation O'Connell ever received in or out of Parliament. His having done so naturally made him popular with the Tories and unpopular with the great mass of the Irish people, and for a Whig Government to bestow so very exalted a judgeship upon such a man made many wonder what would be the consequence. Besides, Doherty's reputation at the bar did not entitle him to be placed over the heads of Warren, Blackburne, Edward Pennefather, or other barristers greatly

\* Hansard, "Parliamentary Debates," vol. xxiv., second series, p. 616.

† Hansard, "Parliamentary Debates," vol. xxiv., second series, p. 625. The motion was negatived by a majority of 58.



surpassing him in legal renown. It soon, however, transpired that the new policy of Lord Anglesey was to be that of taking men of all politics, and, by fusion, healing the old sores of Irish discontent. Thus he selected Mr Blackburne as Attorney-General, Mr Crampton as Solicitor-General. This, he thought, would please the Protestants, while making Mr O'Loughlen a Serjeant, and Mr Wolfe a Crown Prosecutor, would be sure to satisfy the Catholics. Moore, the poet, compared his Excellency to an equestrian guiding a pair of horses :—

“ So rides along, with canter smooth and pleasant,  
That horseman bold, Lord Anglesey, at present,  
Papist and Protestant—the coursers twain,  
That lend their necks to his impartial rein ;  
And round the ring, each honoured as they go—  
With equal pressure from his graceful toe,  
To the old medley tune, half ‘Patrick’s Day,’  
And half ‘Boyne Water,’ take their cantering way—  
While Peel, the showman, in the middle cracks  
His long-lashed whip, to cheer the doubtful hacks.”

Ere long, Lord Anglesey was doomed to find the effect of trying to manage two doubtful hacks. The poet’s warning was fully verified—

“ If once my Lord his graceful balance loses—  
Or fails to keep each foot where each horse chooses,  
If he but give one extra touch of whip,  
To Papist’s tail, or Protestant’s ear tip,  
Off bolt the severed steeds, for mischief free,  
And down between them plumps Lord Anglesey.”

Though there was a very great outcry upon the elevation of Mr Doherty to the Bench, he soon showed that, so far as the duties of his court were concerned, there was no just ground for complaint. Those who carefully look through the volume of “The Law Recorder,”\* which contains many of his decisions from the first day he sat on the bench, will find no ground for thinking he was not fully able to maintain his position. Those who have practised before him have borne testimony in his favour that he was painstaking, courteous, and patient. His judgments in *Lynet v. Lynet*,† *Roner v. Mahon*,‡ *O’Callaghan v. Clare*,§ and numerous other cases to be found in the Irish Reports, prove that, while the Chief-Justice adhered to the views he believed to be true, when any error was pointed out to him he readily yielded up his own views, and pronounced the judgment of the Court with dignity. If there was no very great display of erudition on his part, he showed considerable acuteness and industry. When addressing jurors he was always clear and concise, or, if the occasion demanded, full and explanatory, without being dictatorial. To the bar he was courteous and impartial, never showing any individual preference, and, while preserving due decorum, rarely betrayed into severe rebuke.

The Chief-Justice stood high in the estimation of the chiefs of all parties. He was promoted to the bench by Earl Grey, and when Sir Robert Peel became Prime Minister in 1834, he is said to have made

\* “The Law Recorder,” vol. iv. p. 88.

† Ibid. vol. iv. old series, p. 227.

‡ Ibid. vol. ii. new series, ii. p. 118.

§ Ibid. p. 129.

overtures to Mr Doherty to exchange the Court of Common Pleas for the House of Commons, in which his debating powers had made him so useful. This attempt, if made, was not successful. Mr Doherty had gained a position which combined high pay and light work, an elevated station, unshaken by the turmoil of politics, and undisturbed by changes of Governments. He therefore remained Chief-Justice of the Common Pleas. Many regretted this decision. They felt sorry that one so fitted to adorn the Senate should be confined to the Common Pleas—that one so qualified to represent an Irish constituency with energy and credit should not do so; but undoubtedly the Chief-Justice acted wisely. He appears to have entertained hopes of one day entering the Upper House, and, no doubt, his fine person and dignified address rendered him well qualified for the more stately assembly of the Peers. Here his intellectual gifts, his impressive oratory, his genial and social nature, would have insured him a warm welcome. It has been said that the Attorney's son was proud of his connection with aristocracy, and the fine portrait of George Canning, which overhung the mantel-piece of his dining-room in Ely Place, denoted at once his taste and predilection. Indeed, in his play of feature, and habitual cast of countenance, he sometimes reminded one of Mr Canning, and the late Earl of Carlisle was so struck with the resemblance, that he addressed some graceful verses to the Chief-Justice, in which he refers to this likeness.

It is sad to think that the closing years of this genial and joyous disposition should have been clouded with heavy losses. The railway mania, for it was little else, which set in towards 1846, and lasted for a brief but momentous space, involved the Chief-Justice in its frenzy. It is stated that he realised no less than eighty thousand pounds, but better he had never gained a penny. He did not rest satisfied with his gains. What speculator ever does? He went again into the market, when the tables turned; shares went down, calls were made, the fluctuations had ceased—there was continual depression. The eighty thousand pounds dwindled away; but that was not the worst, all the savings and accumulations which the Chief-Justice had made went, and the hopes of his life were blighted. The natural buoyancy of his spirit sustained him long; but who can bear the constant and continuous run of ill-luck. At last his spirits gave way, his health failed, and he died at Beaumaris, North Wales, on the 8th of September 1850.

#### THE EARL OF RODEN.

BORN OCTOBER 1788—DIED MARCH 1870.

ROBERT JOCELYN, third Earl of Roden, Viscount Jocelyn, and Baron Newport of Newport, county Tipperary, in the peerage of Ireland, Baron Clanbrassil, of Hyde Hall, in the peerage of the United Kingdom, and a Baronet of England, was born October 27, 1788. He succeeded to the title June 29, 1820. His lordship was Senior Knight of St Patrick, to which dignity he was instituted in the year 1821; he was also a member of Her Majesty's Privy Council, both of

England and Ireland, and *Custos Rotulorum* of the county Louth. He was the eldest son of Robert, second Earl, by his first wife, Miss Frances Theodosia Bligh, eldest daughter of the Very Rev. Dr Bligh, Dean of Elphin, and cousin of the second Earl of Darnley. He was born at Brockley Park, Queen's County, and received his early education at Harrow School, where he had for his school-fellows Peel, Byron, Palmerston, and the late Earl of Ripon. During his father's lifetime as Viscount Jocelyn, he represented the county of Louth in Parliament, for about ten or twelve years, on the highest Tory principles, and was from the very first a most unflinching opponent of Roman Catholic emancipation. In 1820 he succeeded to the Irish titles of his father, who had been one of the representative Peers for many years before his death. He was thus *débarred* from sitting in the Lower House for an Irish constituency, while his peerage gave him no seat in the Upper House of the Imperial Legislature. In the following year, however, at the coronation of George IV., in whose household, as in that of George III., he held one or two offices of dignity, first as Treasurer and afterwards as Vice-Chamberlain, he was raised to an English peerage by the title of Baron Clanbrassil, a dignity which had formerly belonged to his maternal ancestors, but had become extinct. From a very early age, both in and out of Parliament, the noble Earl was a most zealous and consistent advocate of the interests of the Irish Protestant party. Like his brother-in-law, Lord Powerscourt, and the late Lord Farnham, he became identified with what was called the "Evangelical party." At the great Protestant meeting in Dublin, in January 1837, he strongly advocated the preservation of the Protestant Church; and during the recent agitation for its disestablishment, he was one of the most strenuous opponents of that measure. In his political creed, too, he exhibited the same strong and uncompromising devotion to high Conservative principles. In his place as a member of the Upper House, Lord Roden showed himself on every opportunity the steady champion of the Irish Protestant party. In 1839 he succeeded in a motion for inquiry into the state of Ireland, and obtained a select committee for that purpose. In the same year he divided the House of Lords against the second reading of the Irish Municipal Reform Bill, but found himself with comparatively few supporters.

In 1831 he became president of the Irish Protestant Conservative Society; and some years later he enrolled himself, along with the great mass of the Protestant yeomanry of the north of Ireland, in the Orange Association. He was the principal mover in organising the great aggregate meetings of August 1834 and January 1837; to which may be added the great Downshire meeting in the October of the former year. He was chairman of the Grand Orange Lodge when in 1836 it was resolved that the association should be dissolved, in deference to an authority to which he felt obliged, though reluctantly, to bow.

He was for many years a magistrate for the counties of Down and Louth; but in 1849, he, with Mr Beers, Grand Master of Down, was dismissed from the commission of the peace after the report of the commissioners on the famous Dolly's Brae affair.



In late years his declining health rendered him unfit for active political life. He died at Edinburgh on the 20th of March 1870, in his eighty-second year.

In private life Lord Roden was universally esteemed and beloved, and in spite of his known strong religious and political opinions, he was respected for his personal good qualities by men of every creed and party with whom he came in contact. He had the reputation of being one of the best landlords in Ireland. On the 29th of January 1813, he married the Hon. Maria Frances Catherine Stapleton, second daughter of Thomas, twenty-second Lord Le Despencer; and by that lady, who died in 1861, he had four sons and five daughters. His eldest son, Robert Viscount Jocelyn (born 1816, died 1854), was married in 1841, to Lady Frances Elizabeth Cowper, youngest daughter of the fifth Earl of Cowper, and left two sons and two daughters; the eldest of these, Robert Viscount Jocelyn, Lieutenant 1st Life Guards, born 22d November 1846, succeeded to the late Earl's titles and estates.

#### GENERAL CHESNEY.

BORN 1789—DIED 1872.

FRANCIS RAWDEN CHESNEY, the pioneer of the overland route to India, was born at Ballyveagh, in the north of Ireland, on the 16th of March 1789, and was named after his sponsor, the late Marquis of Hastings. He was educated at Woolwich, whence he entered the Royal Military Academy in January 1804. In the November following he passed his examination for the Royal Artillery, and obtained a first-lieutenancy on the 28th of October 1805. In March 1808 he proceeded with his regiment to Guernsey, where he remained for some time on the staff as aide-de-camp to Sir A. Gladstones, occupying himself in the study of military tactics. Having seen some active service in 1815, he became captain, and in 1821 he was sent to Gibraltar, whence he returned in 1825, after the death of his wife. It was while he was stationed at Gibraltar that he conceived the idea of crossing the African desert to solve the problem of the source of the Niger, but the project was abandoned. In 1827 and 1828, he visited the great battle-fields of Europe, and afterwards carefully examined those of the East. In 1829, Captain Chesney sailed for Constantinople, on leave of absence, resolved to offer his services to the weaker side in the struggle of 1828-9 between Russia and Turkey. Having taken with him strong recommendations from Sir Sydney Smith, he was employed by the Porte in fortifying the passes of the Balkan; but the treaty of Adrianople, which was concluded soon after his arrival, terminated his operations. He now took the opportunity of visiting the scenes of the late conflict, and collecting materials for a narrative of the Russo-Turkish campaign of 1828-9, a work which was not published till long after the well-known narrative of Major von Moltke, now the famous Marshal, had already occupied the field. From the Danube, Captain Chesney having obtained an extension of

his leave of absence, proceeded to visit Greece and Asia Minor, and was soon after despatched to Egypt on a political mission from Sir Robert Gordon, the British Ambassador at Constantinople in 1829. While in Egypt, he had placed in his hands, by Consul-General Barker, a series of questions drawn up by the late Mr Peacock, the Principal Examiner of the India House, as to the relative advantages of the Egyptian and Syrian routes to India. Being strongly impressed with the importance of these questions, he submitted proposals to our Government, through Sir Robert Gordon, that he should make a personal examination of the several routes and report the result. Taking for granted that the Government would approve of his design, and that no difficulty would arise about leave, Captain Chesney, with characteristic energy, at once commenced the task he had proposed to himself, without waiting for the approval expected, far less for any funds, save those provided by the assistance of private friends. "The approval came in good time, but not the funds; and it was eighteen years after the journeys were completed, which prepared the way for his Euphrates expedition, that the personal intervention of the Prince Consort procured the repayment from the Treasury of the actual personal outlay incurred in them by the explorer." Chesney, however, not foreseeing, and even if he had foreseen, not being likely to be deterred by difficulties of this kind, started on his expedition, and proceeding up the Nile to Cairo, and thence to Suez, he sailed down the Red Sea to Kosseir. From Kosseir he crossed the Desert to the Nile at Kenneh, ascended to the Second Cataract, and returning, descended the river to the Damietta mouth. On the many interesting details of this journey it would be unsuitable to enter within the narrow limits of a memoir, but the results may be stated as follows:—"That a steamer might reach Kosseir from Bombay in fourteen days, and that the transit of the mails from thence to Alexandria could be accomplished in four days; while by the shorter line Suez would be reached in fifteen days from Bombay, and the Mediterranean at Damietta, or the entrance of the Nile in two more."

Besides examining the Damietta mouth, it was part of Chesney's duty to survey the Isthmus of Suez, and the outlets through Lake Menzaleh, with a view to reporting on the practicability of carrying out the great project of a ship canal, the first suggestion of which in modern times was due to the *savants* of the French Republic. Owing, however, to some serious errors in taking the line of levels in 1802, the French engineers had reported the Red Sea as 36 feet higher than the Mediterranean; and at the time of Chesney's observations, the belief prevailed that if the Isthmus was to be pierced by an opening from sea to sea, several towns along the shore would inevitably be submerged.

Captain Chesney, with extraordinary boldness and discernment, rejected their conclusions as erroneous, and confidently expressed his belief that a canal passage for steamers and other vessels could be opened through the Isthmus of Suez, without even so much disadvantage in respect of current as is experienced in the case of the Bosphorus. This remarkable prediction, contained in his report on the subject of the overland route, *via* Egypt, dated from Jaffa, September 2, 1830, remained almost unnoticed, until disinterred from the Foreign

Office Archives by a London journalist after the "Lesseps" canal had become a declared success. In reference to his report, General Chesney thus writes in 1868, in his narrative of the Euphrates Expedition:—"The practical question, however, appeared then as now to be one of expenditure; and considering the enormous cost on the one hand, and the certainty of a speedy overland communication being established across the narrow desert between Cairo and the Red Sea on the other, the possibility of constructing a ship canal to Suez did not long continue to occupy my thoughts. They were now turned to the alternative route through Syria and Mesopotamia, the exploration of which had next to be entered upon." The narrative of his journey through Palestine, Syria, the region of Decapolis, and the Mesopotamian desert, is full of incident and interest. It was on the 2nd of January 1831 that, all preliminary difficulties having been surmounted, Chesney found himself at last afloat on the great historic river, the Euphrates. The history of these explorations has been given to the world in a volume begun in the 77th year of the author's life, at the request of the Government; and the narrative of the Euphrates Expedition, published in the year 1868, is one of the most interesting on record. The name of General Chesney is associated with the exploration of the Euphrates even more indissolubly than that of Franklin, M'Clure, and M'Clintock with the great and well-known expedition in the Polar Seas, or that of Livingstone with Southern Africa. "From an ordinary position as an unknown regimental officer, he stepped at once into fame in consequence of his discoveries; and though never destined to see the full accomplishment of his hopes in the completion of a mail route down the Euphrates, he devoted many years of retirement to its advocacy, with unshrinking faith in the advantages of the scheme his energy had first made possible. Chesney returned to England in 1832; and in 1834, the House of Commons having granted £20,000 for the purpose of what is known as 'the Euphrates Expedition,' was undertaken "a task, as has been remarked, made difficult, not only by physical obstacles, but by the opposition of the Russian Government, the timidity or prejudices of some of our own Indian politicians, and the ignorance of our mechanical engineers as to the possibility of building flat-bottomed vessels for steam. The aid of a scientific friend, 'a mere theorist,' the late Professor Narrien, overcame the last obstacle; and the energy of the projector, favoured by the royal countenance—William IV. who took a warm personal interest in the design—did the rest." On the 10th of February 1835, Chesney, with the rank of Colonel on a particular service, and a staff of his personal selection, sailed from Liverpool for the East. After many difficulties and delays, which occupied nearly nine months, the two steamers, the "Tigris" and the "Euphrates," were transported across the desert bit by bit, and finally launched on the great river, on the 16th of March 1836. One of these ships, the "Tigris," with all her instruments, surveys, and journals, was sunk by a violent typhoon, and when Chesney, who was on board, with difficulty escaped, his two lieutenants and most of the crew perished; but the undaunted voyagers held on their way, and reached the Indian Ocean in safety on the 19th of June, and Chesney reported himself to the Indian Government at Bombay. Hurrying back



to England in triumph, he found on his arrival at Leghorn on the 24th of July that he had lost, by the death of William the IV., his, and the expedition's best friend and supporter. Having arrived in London on the 8th of August, a busy period ensued, attendant on the winding-up of all the affairs of the expedition. Early in October Colonel Chesney was busily occupied in moving, through Lord Glenelg, who had succeeded Sir John Hobhouse as President of the Board of Control, to obtain promotion for the officers of the expedition. In November he laid the completed maps before the Duke of Wellington and Sir Robert Peel, who encouraged him to look for the assistance of Government in bringing out his intended work on the expedition, and the countries through which it had passed. Early in 1838 the three naval officers, Charlewood, Fitzjames, and Eden, received their promotion; but that of Lieut. Cleaveland was delayed until he should fill up his sea-time. The promotion of these officers, and the payment of their expenses, was owing to the patient remonstrance of Colonel Chesney. By the beginning of the new year the maps were far advanced, and a complete account returned to the Treasury, when Chesney had the satisfaction of hearing that the Lords of the Treasury considered some mark of approbation due to the commander of the expedition. The hope of such a recommendation gave Colonel Chesney great satisfaction, the more so as it happened that the Government Minute had only been in part carried out by conferring on him the brevet of Lieut.-Colonel from April 27, 1838, instead of the previous date of November 27, 1834. But in this, as in many other matters, he was doomed to disappointment; owing to a change of Government, and his own employment for some years in a distant regimental command, his eminent services remained unacknowledged, and the subject of a special pension was allowed to fall through.

He was requested by the Government to undertake the history of his labours in the East, and in the year 1852 he published in two volumes an account of some of the results of the Euphrates Expedition, including an historical and geographical survey of the regions traversed by the Euphrates. In this work the author intended to have included a full narrative of his first exploration of the rival routes through Egypt and Syria, as well as a detailed account of the subsequent survey. In the prospectus of the proposed work, published in 1852, this design was sketched out and given to the public; but it appearing to the department, under whose auspices this publication was conducted, that the completion of such a design would be attended with what then seemed undue expense, the author consented to limit the work to the incomplete form in which it afterwards appeared. After the lapse of sixteen years, however, it was thought advisable by Her Majesty's Government, having regard to the greatly increased importance of the Overland Route question, that it would be for the public advantage that the materials of information remaining in Colonel Chesney's hands should be rendered accessible, he received commands to proceed with the work, which he afterwards gave to the public in one volume in the year 1868. To this we have already referred. The expenses attendant on the production of Chesney's first work were very considerable, and notwithstanding the earnest representations of the late Prince Consort, Sir Robert Inglis, Baron Humboldt, and

others, he found considerable difficulty in recovering the full amounts expended in his undertaking, and was still soliciting the Treasury for final justice in the matter when his health broke down. He died at his residence in the county Down, on the 30th of January 1872, at the advanced age of eighty-three, having served successive sovereigns through a period of sixty-seven years. He received such honours as Universities and Royal Societies can bestow, and lived to refuse, as coming thirty years too late, the honour which would have amply repaid him had it been bestowed when first he returned from the East. Of his military life it has been well remarked, that he was an earnest student of the theory of his profession, and an ardent reformer of our artillery, when all reform was counted dangerous, and all reformers were obnoxious. But though his work on artillery was once a standard book, the science has long advanced beyond it. In 1852 he published his "Observations on the Past and Present State of Fire-arms," and on the probable effects in war of the new musket, a work which in the history of military science in this country will be referred to as a remarkable example of prescience and sagacity.

He commanded the artillery in China as Brigadier-General, in 1843-47, and held the command of the artillery in the south of Ireland from 1848 till 1852. He attained the rank of Major-General in 1855. His reputation, however, rests on another and more lasting foundation than that of his military services. "Other men have entered into his geographical labours, and grown great by following them up; but to him still remains the credit of the undaunted efforts which opened to modern civilisation the great river of ancient history." Ireland may indeed be proud to count him among her sons, and the kingdom at large will long recognise in him one of its most truly loyal and well-deserving members.

SIR MICHAEL O'LOGHLEN, BART.

BORN OCTOBER 1789—DIED SEPTEMBER 1842.

The Right Hon. Sir Michael O'Loughlen, born on the 1st of October 1789, was the fourth and youngest son of Colman O'Loughlen, a Justice of the Peace, who resided at Port, county Clare, and traced his blood through royal veins to the "Princes of Burren." In 1811, he was called to the Irish bar, and for several years remained without practice. It is said that he owed his first success to O'Connell's unfortunate duel with D'Esterre. He was the junior counsel in a case of importance, and in the absence of his leader, who was engaged elsewhere in a trial of a very different kind, he was unexpectedly obliged to take upon himself the sole advocacy of his client's case. Though embarrassed at first by natural diffidence and inexperience, he gradually warmed to his work, and after a masterly address of two hours, he resumed his seat amidst the astonishment of the bench and senior bar, and the audible approbation of his brother juniors. From that time his reputation was established, and business flowed in so rapidly, that in a few years he reached a position of wealth and

eminence. As Mr Sergeant O'Loughlen, he contested the borough election of the city of Dublin; his opponents being Mr Shaw (afterwards Recorder of Dublin) and Lord Ingestre. In 1834, he was appointed Solicitor-General, by the Melbourne administration. In 1835 he entered Parliament, and in a short time attracted the favourable notice of the House as a most efficient law officer, and most successful debater. On the elevation of Mr Perrin to the Court of Queen's Bench, at the close of the year 1835, Mr O'Loughlen became Attorney-General for Ireland. He filled this high office for a period of two years, and gave entire satisfaction to the legal and general public. He was next promoted to the office of Chancellor of the Exchequer in Ireland, but in a few weeks resigned that position, and accepted the Mastership of the Rolls, which had become vacant by the death of Sir William M'Mahon. He was afterwards created a baronet. As a judge, he gave the highest satisfaction to the bar and the suitors who came before him. In September 1842, he died in England, to which he had repaired for the benefit of his health. The bar of Ireland erected a statue to his memory in the hall of the Four Courts, Dublin. In private life, he was esteemed and beloved; in his public career, he ever approved himself able, courteous, and just. Sir Michael married, on the 3d of September 1817, Bidelia, daughter of Daniel Kelly, Esq. of Dublin, and left issue eight children, of whom the eldest, Colman, succeeded him in his title and estates.

## LORD MONTEAGLE.

BORN FEBRUARY 1790—DIED FEBRUARY 1866.

The Right Hon. Thomas Spring-Rice, Lord Monteagle, of Brandon, county Kerry, in the Peerage of the United Kingdom, F.R.S., F.G.S., &c., was the only son of Mr Stephen Edward Rice, of Mount Trenchard, by Catherine, only child and heiress of Thomas Spring of Ballycrispin, county Kerry. He was born in Limerick on the 8th of February 1790, and was educated at Trinity College, Cambridge, where he took his degree in 1811. On the 11th of July 1811 he married a daughter of the Earl of Limerick; and in 1820, he entered Parliament as one of the members for his native city, which he continued to represent in the Whig interest down to the passing of the Reform Bill in 1832, when he was chosen for Cambridge, and sat for that borough until his elevation to the Peerage in 1839. Mr Spring-Rice was the fast friend of O'Connell, and as such took a prominent part in the great Catholic question, and lent his support to all the other liberal measures proposed by his party.

He was made under Secretary of State for the Home Department in 1827; and when at length the Whigs came fully into possession of their power, he became successively Secretary of the Treasury and Secretary for the Colonies, and Chancellor of the Exchequer. The first of these offices he shared at one time with Mr Edward Ellice, and afterwards with Sir Charles Wood; the second he held for a very short period; the third he filled for five years, and it was in the discharge



of its duties that he gained celebrity. In 1839, he resigned the office of Chancellor of the Exchequer, and succeeded the late Sir J. Newport, as Comptroller-General of that department, being at the same time raised to the Peerage.

He was a capable man of business, and as the mouthpiece of a powerful Irish interest, he acquired with his party great influence in the House of Commons. Though his abilities were not considered as of a very high order, he managed to discharge the duties of the several important posts which he filled most creditably, and fairly earned the confidence of his friends. The Whig ministry was sorely ridiculed in those days, and no one came in for a greater share of the satire they provoked than Mr Spring-Rice. The smallness of his stature was made the most of by his satirists, and turned into a very serious cause for public ridicule and contempt. He was a dull and tedious speaker, and was frequently accused of jobbing. To quote the words of a candid reviewer of his life,\* "If we must not speak of Lord Monteagle as either a very strong or a high-minded man, we must do him justice as a shrewd one, and a good partisan. If he was not a brilliant minister, he was at least a useful one; and if he failed as a financier in a time of great difficulty, it must be remembered in his favour, that while Irish affairs were all important, he did good service, and fairly earned the confidence of his friends." After his retirement from the Cabinet, he may be said to have almost retired into private life, only that about six years before his death, when Mr Gladstone's famous budget was announced, he led the attack upon it in the House of Lords. Mr Gladstone and his friends naturally spoke with contempt of an attack upon the budget led by a Whig financier, who, as they said, had been laughed out of the Exchequer; but this did not necessarily invalidate the criticism of Lord Monteagle; and it was no small tribute to his prudence that, twenty-one years after he had resigned the Chancellorship of the Exchequer, a considerable party in the legislature—Whig and Tory—were willing to regard him as an authority on a question of finance. That was his last appearance on the great stage to which he had been so long accustomed.

His Lordship frequently acted as a member of Royal Commissions on matters of taste and art, and bestowed considerable pains on the work of examining and reporting upon the decimal coinage question. He took a prominent part in the discussion of monetary and commercial subjects in the Upper House—such as the Limited Liability Bill, &c.—and also in those relating more particularly to Irish affairs. In 1861, he opposed unsuccessfully the abolition of the Paper Duty; and he was a Commissioner of the State Paper Office, a Trustee of the National Gallery, a Member of the Senate of the London University, as well as of the Queen's University in Ireland.

He died on the 7th of February 1866, at his residence, Mount Trenchard, near Limerick, aged 76 years, all but one day.

\* *The Times* of Feb. 9th 1866.

SIR THOMAS WYSE.<sup>3</sup>

BORN 1791—DIED 1862.

The Right Hon. Sir Thomas Wyse, K.C.B., H.M.'s Envoy Extraordinary, and Minister Plenipotentiary at the Court of Athens, eldest son of Mr Thomas Wyse, of the Manor of St John, county Waterford, was born in 1791. He received his earlier education at Stonyhurst, and graduated at Trinity College, Dublin, in 1812. He afterwards became a student of Lincoln's Inn, but was not called to the bar. He was M.P. for the county of Tipperary from 1830 to 1832, and for the city of Waterford from 1835 to 1847; and he held office under Lord Melbourne's administration, as one of the Lords of the Treasury, from 1839 to 1841, and as joint secretary to the Board of Control from 1846 to 1849, in which latter year he was appointed H.M.'s representative at the Court of Athens, and became a member of the Privy Council. In 1857 he was created a Civil Knight Commander of the Order of the Bath. During his Parliamentary career he was in high reputation as a statesman and an orator. In the literary world he was well known as the author of a "Historical Sketch of the Irish Catholic Association," "Walks in Rome," "Education Reform," "Oriental Sketches," and other works.

As representative of the ancient family of "Wyse," in Devonshire, he held his estates direct from the Crown; and as the lineal descendant of the original grantee, under a grant of the year 1172, he inherited the rights of the Prior of St John.

He married, in 1821, Letitia, daughter of Lucien Bonaparte, Prince of Canino, brother of Napoleon I., Emperor of the French, and had issue two sons—Napoleon Alfred Bonaparte, his heir, and William Charles Bonaparte, Captain Waterford Militia, and High Sheriff of the county of Waterford in 1855. Sir Thomas died at the British Legation, Athens, on the 15th of April 1862.

## BARON GREENE.

BORN 1791—DIED 1861.

Few men have left a nobler memory than Baron Greene, although most men who have filled equally important positions have left materials for fuller and more interesting memoirs. If the country is happy that has no history, happy also is the man whose perfect integrity and uniform discharge of duty have kept him out of all the difficulties, false positions, or successful hazards which make the story of life interesting. Baron Greene was a man who never got into a difficulty from which the biographer has the task of rescuing him, never deserted law for politics as a short cut to judicial advancement, never served party in order to be raised by favour above the heads of more deserving men. The tardy advancement which he ob-

tained was earned by his own sterling ability, and met with general approbation, for he belonged to a class very rare in Ireland, the non-party men. Richard Wilson Greene was the eldest son of Sir Jonas Greene, Recorder of Dublin, and was born on the 14th of July 1791. He early exhibited an earnest love for study, which all through his youth and early manhood made him set aside the amusement and gaiety which his position in society and the circumstances of his family placed at his command. He went to school at the celebrated Samuel Whyte's, where Sheridan, Moore, and most of the other well-known men of the time were educated. One of the reminiscences of his boyhood is that he had an extraordinary love of order, a most important qualification of the judicial mind. This faculty often enables a man of delicate frame and constitution to get through more work, and to do it better and more quickly than stronger but less methodical men. Such was exactly the case with Baron Greene, who was as regular and unimpassioned as clock-work. He also showed a very tenacious memory; and so quickly did he master the elements of education that he entered Trinity College, Dublin, when he was only fourteen, and was greatly distinguished in his college career, winning the gold medal for science, with other honours. He was also a very distinguished member of the Historical Society, in the records of which his name frequently occurs. He was auditor of the society in the year 1811-12. In 1814 he was called to the bar, and after having "to bide his time," like others, his great attainments and reliable qualities at length won for him an extensive and lucrative practice. In 1825 he was appointed by the Marquis Wellesley to the post of assistant-barrister of the county Antrim. He continued to occupy this position for nearly two years, and on retiring from it in 1826 received the most flattering addresses from the inhabitants of Belfast. The qualities for which he was praised were those which distinguished him through his whole life—moderation, impartiality, great erudition, perfect tact, and the courtesy and temper of a true gentleman. The cause of his retiring was his appointment, by Lord Plunket's influence, to the law-advisership of the Castle.

In 1822 he was elected by Lord Plunket to assist in drawing the indictments in the Bottle riot, and in 1823 he was appointed permanently Lord Plunket's "devil," and serving as such won that great lawyer's warm regard and confidence. Plunket was then Attorney-General, and it was said carried the appointment of Mr Greene against Mr Goulburn by threatening to resign unless his wish should be complied with. We will presently show that Plunket in later years endeavoured unavailingly to procure the further advancement of his early favourite. Mr Greene now became the mainspring of Government in Ireland; nothing could be done without him, and everything passed through his hands. So indispensable did he make himself by his wonderful talent for business, his tact, legal acumen, and despatch, that when, by Justice Jebb's retirement, certain changes occurred, and Mr Greene was appointed serjeant in the room of Mr O'Loughlen, who was made Solicitor-General, it was impossible to find a substitute for him in the post of Counsel to the Chief-Secretary. Mr Martley's name was mentioned, but it was found that no one could be a substitute for Mr Greene



His ability had given the office an importance and scope which it never possessed before nor has it since; for not only had he been the drawer of all *ex-officio* and Crown indictments, as well as the framer of special commissions and draughts of local acts, but in the extraordinary difficulties which the Government of Ireland then presented he officiated as the oracle of the Lord-Lieutenant and the Chief-Secretary. Even from his opponents he had won the repute of "a clever, accurate, and learned man, of a grave and rather plain cast of character." "I have watched in vain," says the same critic, "for years to see him smile."

The following extract from a letter of the correspondent of the *Times* shows how necessary was his retention of the second office:—"All Irish Acts of Parliament and all proposed acts are submitted to his patient and all-enduring consideration. During Sessions time his office in the Castle is often in a state of siege from the incidental applications which pour in sometimes from distant Assize towns, where the Crown Prosecutor is in some dilemma on a point of law artfully raised by a post hint from 'the Counsellor,' O'Connell, or by those guardian angels of the accused, Dominick Ronayne, M.P., or Pat Costello, gentleman attorney *in propria persona*. The prosecution is politely postponed, or judgment is mercifully delayed, while a letter flies on the wings of a police express to overtake the post, imploring the advice of Richard Wilson Greene by return of post. He has, perhaps, to reply to twenty urgent demands of a similar nature, oral or scriptural, in the course of the morning, with only time to consult the extraordinary encyclopædia of law and practice—his own memory. Any one can give an opinion if he be allowed time to draw on his library for the amount of knowledge required; but who can do so off-hand or infallibly like R.W. Greene? Daniel O'Connell, perhaps; but Irish secretaries have learned that there is some danger in employing him as 'consulting counsel.' In short, it is acknowledged that the office must be still left in the hands of Mr Greene, with all its profits or perquisites, as nobody can safely supply his place at this crisis at a moment's warning."

In the various appointments consequent on Justice Jebb's retirement, O'Connell's wishes had been set aside, and this daring act of rebellion on the part of the Government gave rise to a general outcry in the O'Connellite newspapers. Mr Greene was accused of being an Orangeman; but nothing could have been further from the truth, for there was no public man in Ireland more free from political bias. The bar received his promotion with warm approbation; and O'Connell himself, so far from joining in the yelping of his followers, said it was "the best appointment he had ever heard of," and that he wished all were like it. In another comment on the new Sergeant, he said that his opinions had "the sterling ring of legal power."

It appertained to the office of Sergeant to supply any deficiency of the Judges, and to go out on circuit and act as a Judge when occasion required. Mr Greene, while Sergeant, went out as many as fourteen times, and won the favourable opinion of the people and the profession. He delighted all by his invincible patience and good temper, his strong and clear decisions, his language bespeaking merciful justice. Men of every shade of opinion went out of their way to eulogise his moderation, fairness, the extent of his legal knowledge, and the readiness with which

he applied it. In Civil Bill Appeals particularly he was noted as the poor man's friend, always anxious to shield him from oppression. In 1835 he was selected by Lord Anglesey, as a man who had the equal confidence of both sides, to conduct a Government investigation into the Orange outrage at Newtownbarry, and he acquitted himself on this difficult commission in a manner that was perfectly satisfactory to all concerned. This capacity for doing justice without giving offence, and in the most difficult positions, pointed him out as extraordinarily qualified for the Irish Bench; but this peculiar qualification was just the bar that hindered his promotion. Lord Wellesley, who gave him his first step, often deplored that successive Governments had failed to promote him to the bench, while recognising his great fitness for it.\* There never was a more glaring proof of the extent to which the degraded and unjust system of making the Judges' seat a reward of conduct the most unjudicial, viz., violent and avowed political partisanship, and the utter unavailingness of merit to procure professional advancement in Ireland, than Mr Greene's long exclusion. It actually seems to have been the fact that English statesmen were unable to save anything from the voracity of partisanship, to bestow it upon pure, modest, genuine merit. Successive administrations, as often as a vacancy occurred on the bench, passed him over as if they had never heard his name, although expressing the greatest admiration at other times of his discharge of the functions of temporary judge or his management of some difficult commission. *Virtus laudatur et alget*. It was acknowledged with audacious candour that had Mr Greene belonged to the English or Scotch bar, no Government could venture to treat him with the same neglect and injustice that he experienced at their hands. In 1840 his old friend, Lord Plunket, made an effort to procure his promotion, as the following extract from a letter of that date shows†:—

"I felt bound to express my opinion to the Lord-Lieutenant that your appointment would meet the full approbation of the respectable portion of the bar of all parties. You very much overrate any services I may have wished to render you. I have only done what I thought was due to your merits and talents; and I assure you that my sense of them and my wish to mark it continue unabated. I am always, my dear Greene, very faithfully your friend and servant,

PLUNKET."

Mr Greene had filled the office of Sergeant sixteen years when he was appointed Solicitor-General in 1842, on Mr Blackburne becoming Master of the Rolls. His appointment was strongly urged by the Roman Catholic organ, the *Dublin Post*, and it was warmly praised by the Protestant organ, the *Dublin Mail*. Mr O'Connell spoke of Mr Greene's appointment as follows:—"He thought the appointment of that gentleman was an exceedingly good one, because he never had taken an active part against the religion or the people of Ireland. He never signed an anti-Catholic petition." In the scrutiny that his career underwent on his appointment, it was remarked that, though supposed to be a Tory, he had served as the law-adviser of a Whig Government

\* Manuscript letter from Lord Hatherton.

† Manuscript letter.

for four years, and he had shown signs of Liberalism in his interpretation of the Freeholders' Qualification Clause in the Reform Bill when going as Judge of Assize, and by accepting a seat on the Commission of National Education. It was as Solicitor-General, with the Attorney-General, Mr Smith, that he had the enormous task of conducting the State trial of O'Connell and others. His speech lasted for two days, and was one of the most able, in point of massive reasoning and legal ability, ever delivered at the Irish bar. Its colouring was sober, and it was entirely free from ornament, and its beauties were those of pure reason and masterly statement. Commencing with a lucid exposition of the law relating to conspiracy, he applied it to the language of the speakers at the monster meetings, and showed the origin and mode of prosecuting their objects. He demolished Sheil's brilliant oratory by a few hard practical strokes; and his unprejudiced temperate reasoning seemed to be the end of controversy, and gave nothing to be taken hold of by Whiteside or O'Connell; indeed, he left no place for the advocate, for it seemed as if the judge had spoken. A good forensic critic thus describes the impression derived from the speech:—

"The Solicitor-General would not be reckoned a popular speaker in a public assembly; for his address is throughout a piece of solid reasoning, without ornament, without relief, but firm, compact, and unassailable; and if it is a specimen of his usual style, he would not captivate an ordinary audience. He resembles in his manner the Scotch old school of metaphysicians—dry, logical, sometimes terse or sarcastic, but refusing always to touch anything imaginative, or to condescend to gild his arguments by declamation. His style certainly is not abstract, but the traversers and their counsel feel it to be practical. There is no means of escape from his close remorseless investigation. He lifts all the cobwebs of sophistry stuck into nooks and corners of the case by Sheil—the tapestry hung over it by Whiteside—the heraldic ornaments of national feeling, pride, and prejudice placed upon, and above all, by O'Connell—lifts them one by one quickly but carefully, for Mr Greene has no vehemence in his manner, and exposes the bare, naked, deformed points, without the slightest compunction. There is a degree of pleasure in noticing the quiet way in which he does the work of destruction. He tears nothing, unlike Mr Sheil, for example; he makes no ravings about the mistakes into which his learned friends fall, but merely puts them aside in a very natural way, as if they had been born to commit errors, and he had been sent into the world for the purpose of rectifying them."

The Solicitor-General was the working-man in this ponderous and responsible prosecution, and many manuscript testimonies are before us as we write of the high sense entertained by the Government and by the most competent judges of the great ability with which he fulfilled his duty. The following is from the Home Secretary of the day, Sir James Graham:—

"WHITEHALL, 14th February 1844.

"SIR,—The great trial in which you have taken so conspicuous a part being now concluded, it is my grateful duty, on the part of the Government, to offer to you our thanks and best acknowledgments for the exertions which you have made, and which have been pre-eminently



distinguished by sound learning, exemplary discretion, and the perfect union of moderation and firmness.

"The result will have recompensed you for much anxiety and many annoyances. You have rescued law and justice in your native country from imminent danger; you have sustained the character of the Irish bar in circumstances of great difficulty, which might have overpowered inferior men; and, in addition to the reward of your own approving conscience, you have won the respect of all classes in this country.

"I have great pleasure in expressing to you this opinion on the part of the Government.

"I have the honour to be, Sir, yours very faithfully,

"JAMES GRAHAM."

Still, however, Mr Greene's eminent merits did not elevate him from the bar to the bench, although men like Lord Stanley, then Colonial Secretary, acknowledged\* that the Government "could ill dispense with the services of those who like you join with ability the rarer qualities, at least in Ireland, of moderation and impartiality." At length, in 1851, Lord Clarendon recommended the Queen to grant Mr Greene a patent of precedence, a distinction which had been held by three lawyers at the Irish bar—Plunket, Saurin, and O'Connell. He had then been thirty-eight years at the bar, and no man had worked harder, or made himself so useful, or been so excellent in the capacity of a Crown lawyer. He was justly compared for suavity and courteous bearing to Follett, and few of the great lawyers who have taken their seats on the English bench have exceeded in erudition this comparatively obscure Irish lawyer. In 1852 his promotion to the bench came at last. Lord Derby had the honour of raising him to the post which he had so long merited, and created him a Baron of the Exchequer in the room of Lefroy, who became Chief-Justice, when the Chief-Justice was made Chancellor. Need we say that whilst Baron Greene's failing health permitted, he was one of the best and most merciful judges on the Irish bench. In 1861 he was obliged to resign. Lord Wensleydale, in a letter before us, expresses his belief that Baron Greene could not be replaced on the Irish bench, "because I am acquainted from long experience with your great judicial talent, displayed in all the judgments of yours which it has (been my duty to peruse, and which has been confirmed by public report."

Baron Greene had married in early life a Miss Wilson, who survived him for several years, and by her he had four sons and one daughter. He did not retire to enjoy repose, but to bear with Christian hope and firmness unusual suffering. He had lived to see his second son Richard married to the grand-daughter of his friend, Lord Plunket, to whom, on his retirement, he had presented the address of the bar. He himself received an equally affectionate farewell from the members of his profession. Baron Greene died in 1861, six months after his retirement, at the age of 69.

\* Manuscript letter, 1851.

## JOHN LORD KEANE.

BORN 1781—DIED 1844.

The Right Hon. Sir John Keane, Baron Keane of Ghuznee in Afghanistan, and of Cappoquin, county Waterford, G.C.B. and K.C.H., Lieutenant-General in the army, Colonel of the 43d Regiment, was the second son of the late Sir John Keane of Belmont, county Waterford, by his first wife, Sarah, daughter of Mr Keily of Belgrove. Lord Keane was born at Cappoquin on the 28th of February 1781, and entered the army at a very early age, his commission as Ensign being dated in 1793. He was appointed to a company in the 124th Foot, on the 12th of November 1794. He was on half-pay from 1795 till the 7th of November 1799, when he obtained a company in the 44th Foot, which corps he joined at Gibraltar. During the campaign in Egypt, he served as aide-de-camp to Major-General Lord Cavan; and he was present in the actions of the 13th and 21st of March 1801, and this year was created a baronet. On the 27th of May 1802, he obtained a Majority in the 60th; he remained in the Mediterranean, on the staff, till March 1803, when he returned to England. On the 20th of August 1803, he was appointed Lieutenant-Colonel in the 13th Foot, which he joined at Gibraltar early in 1804, and served with that regiment in the campaign of Martinique, and was present at the siege of Fort Desaix. On the 11th of January 1812, he was appointed Colonel in the army; and on the 25th of June following, Lieutenant-Colonel in the 60th Rifles, and joined the Duke of Wellington's army in Spain the same year. His reputation was then such that immediately on his arrival at Madrid he was intrusted with the command of a brigade in the third division, in which he served until the end of the war with France in 1814, and was present at the battles of Vittoria, the Pyrenees, Nivelle, and Orthes; the action at Vic Bigorre, the battle of Toulouse, and the several minor actions of that war. He attained the rank of Major-General on the 14th of June 1814; and he received the Egyptian medal, and a cross of two clasps, for Martinique, Vittoria, Pyrenees, Nivelle, Orthes, and Toulouse. In August 1814 he was appointed to a command ordered for particular service; and on his arrival in Jamaica, being senior officer, he assumed the command of the military force destined to co-operate with Vice-Admiral the Hon. Sir Alexander Cochrane for the attack on New Orleans and the province of Louisiana. On the morning of the 23rd of December, he effected a landing within nine miles of New Orleans, and the same night, with only 1800 bayonets on shore, repulsed a serious attack of 5000 of the enemy, assisted by three large armed vessels on their flank. He held the command until the 25th, when he was superseded by the arrival of Major-General Sir Edward Pakenham, who took the command of the entire army. The day after the arrival of the general officer he was appointed to the third brigade, and was engaged and present in the affairs of the 28th December and the 1st of January, as also at the assault made on the enemies' fortified lines on the morning

of the 8th of January 1815, when he was severely wounded in two places by grape-shot. He returned to England the same year, too late to be present at Waterloo, but he was appointed to the command of a brigade in the army of occupation under the Duke of Wellington. In the interesting period from 1823 to 1830 Sir John Keane passed eight years as Commander-in-Chief of the Forces at St Lucia and Jamaica; and during a year and a half of that time he administered the civil government also. In the year 1833, he succeeded Sir Colin Halkett as Commander-in-Chief of the army in Bombay; and after nearly six years service in that Presidency, on the 29th of October 1838 he received authority, from the Government of India, to organise and lead into Sind a force intended to co-operate with the army then on the north-west frontier of India, under the command of Sir Henry Fane. The object of this campaign was to relieve the siege of Herât by the Persians, and to restore Shah Soojah to the throne. In the month of December following, however, Sir Henry forwarded his resignation to head-quarters, and the command of the combined forces devolved upon Sir John Keane. He was now called upon to lead a considerable army, and to conduct operations requiring not merely military skill, but a large amount of tact and delicacy in dealing with those half-friendly powers, whose intrigues and treachery have proved a source of difficulty and discomfiture to men of the greatest political experience. It seems to be too much to expect from great military commanders, that they should be also, whenever occasion requires, statesmen and diplomatists. In India, more than in any other country, English generals have been expected to discharge the functions of the strategist and the statesman at the same time, and that too on the most sudden emergencies, when it is impossible to wait for the advice of those on whom the purely administrative duties of the country devolve. It is not, therefore, surprising that Sir John Keane, thus suddenly placed in a position of such great difficulty, came in for a share of that severe criticism which has been levelled at most of the great military leaders who afterwards received the highest rewards from their country for their services in India. Whatever may have been the animadversions passed upon Sir John Keane's policy in his delicate intercourse with the semi-civilised and treacherous native powers, or upon his professional character as a commander, one thing is certain, that when his conduct came to be calmly judged by men above the influence of envy, wounded feelings, or disappointed hopes, there was a unanimous verdict in his favour. He received the thanks of the Court of Directors of the East India Company, on the 18th of December 1839; while on the 11th of the same month he was raised to the Peerage, and obtained a pension of £2000 a-year for his own life and that of his two immediate successors in the Peerage, added to which were the thanks of both Houses of Parliament; and besides, in the month of February 1840, the thanks and approbation of the Governor-General, fêtes and entertainments at Bombay, banquets at the London Tavern, and other marks of royal and public approbation. To go through all Lord Keane's campaigns in India would exceed our present limits, but of all the brilliant victories that he achieved, special attention may be directed to the great and memorable



victory of Ghuznee, from which he derived his title of "Baron Keane of Ghuznee in Afghanistan."

Lord Keane attained the rank of Lieutenant-General, July 22, 1839, and received the Colonelcy of the 43d Regiment (the Monmouthshire Light Infantry) in August 1839. He married first, in 1806, Grace Smith, second daughter of Lieutenant-General Sir John Smith, and by her he had six children; and second, in August 1840, Charlotte Maria Boland, youngest daughter of Lieutenant-Colonel Boland.

Lord Keane died at Burton Lodge, in Hampshire, on the 26th of August 1844, in the 64th year of his age, and was succeeded by his eldest son, whom he named after the great commander of his early years, Edward Arthur Wellington, who having been aide-de-camp to his father when in command of the army of the Indus, shared in the honours of that campaign.

THE RIGHT HON. SIR MAZIERE BRADY, BART., LORD CHANCELLOR OF IRELAND.

BORN JULY 1796—DIED APRIL 1871.

SIR MAZIERE BRADY was second son of Mr Francis Tempest Brady, who carried on the business of a gold and silver smith at 45 Dame Street, Dublin, where this son was born on the 20th of July 1796. It is said his father first designed him for business, and actually proposed that a looking-glass manufacturer should receive him as an apprentice; the proposal, however, was fortunately declined; and thus the young Maziere Brady was reserved for the highest law offices of his native land. He possessed a studious disposition, with good capacity for retaining what he read; and having entered Trinity College, Dublin, in 1812, he obtained a scholarship two years later, which is a good evidence of his classical proficiency. Though hard working at both classics and science, he showed also a turn for literature, and during his undergraduate course he wrote English verse, which obtained the Vice-Chancellor's prize, one of his poems being an ode to the Princess Charlotte, another on music. He graduated Bachelor of Arts in 1816, and Master of Arts 1819. Having resolved upon adopting the law as his profession, Mr Maziere Brady became a student at the Inns before he completed his college career, and in the same term he obtained his Master's degree and was called to the bar. Here his diligence and skill as a pleader obtained him the favourable notice of Mr Louis Perrin, one of the ablest common-law lawyers of the time; and Mr Brady soon obtained fair junior practice.

It is highly probable that it was his intimacy with Mr Perrin that shaped the politics of the young barrister. At this period the Tory party had almost a monopoly of all the good places at the Irish Bar, and it was a rare thing for a young Protestant barrister, connected moreover as Mr Brady was, with the Ultra-Tory Corporation of Dublin, to throw himself heartily into the ranks of the Liberals. This Mr Perrin had done, and this Mr Brady did also; both foresaw Liberal

preponderance, and were wiser in their generation than those who simply adhered to the strongest party. As Mr Perrin resided on the north side of Dublin, Mr Brady removed from Dawson Street on the south, to Blessington Street on the north, where he continued to reside for many years.

When the Liberals came into power Mr Perrin and Mr Brady were not forgotten. Several members of the Irish Bar were appointed commissioners in 1833 to examine and report on the Irish Municipal Corporations, and Messrs Perrin and Brady were among them. Shortly afterwards, in April 1835, Louis Perrin became First Law-Officer of the Crown in Ireland, and one of his first, if not his first disposition of patronage, was appointing Mr Maziere Brady his "devil," an office usually regarded as a stepping-stone to something more lucrative. So it proved in his case. The death of Judge Vandeleur in 1835 elevated Mr Perrin to the vacant seat on the King's Bench, and a run of promotion so quickly followed that Mr Stephen Woulfe became Attorney-General in 1836. In those days the balance of creeds caused the Government to have a Protestant Attorney and Roman Catholic Solicitor-General, or *vice versa*; and as Mr Woulfe, the Attorney-General, was a Catholic, it was deemed proper to select some Liberal Protestant for the Solicitor's place. Here the influence of Judge Perrin supported the claims of Mr Brady, and he became Solicitor-General. The promotion of Mr Woulfe as Chief-Baron of the Exchequer in 1839 caused Mr Brady to succeed him as First Law-Officer, and then Mr Pigot was appointed Solicitor-General. He had not long to wait for the repose of the Bench. The failing health of Chief-Baron Woulfe succumbed to the effects of an operation, and the Attorney-General, as of right, became Chief-Baron Brady. At this time the Court of Exchequer entertained suits in Equity as well as Law, and when adjudging at either side of the Court the Chief-Baron displayed great professional ability. Although his practice at the bar had been almost wholly confined to the courts of Common Law, yet he displayed a knowledge of the principles and practice of Equity business, which astonished his friends and confounded his enemies. For, as we shall find presently, he had enemies who made the fact of his not being known as a practitioner in Chancery the ground of accusation against him. True it was, as a Common-Law judge, and especially at Nisi Prius, he shone most. His wonderful knowledge of the mysteries of pleading, the law of evidence, the rules and practice of the Court, made him quite at ease in directing, and his natural common sense made him always come to a right decision. Incidents in these trials, whether in Dublin or on circuit, often amused him, and he loved to relate the droll remarks and witty replies of the witnesses or the culprits. Thus, on the Leinster Circuit, a man was indicted for stopping the mail-car at Fethard, and on being asked to plead looked so stupid, that the Chief-Baron interposed, and said, "Attend to me, my man. Are you guilty or not guilty?" The prisoner replied, "Shure I don't know, my Lord; 'tis the jury is to say that." The judge could not help laughing at the culprit's judicial answer. Again, when a little girl appeared, she was asked "if she knew the nature of an oath?" "I do, very well," she said, glibly. "What will happen you," asked the Chief-Baron,

"if you don't tell the truth?" "Then, my Lord, I won't get my expenses." From 1840 to 1846, Chief-Baron Brady discharged his high judicial functions with credit and ability.

The accession of the Whigs to power in 1846 caused a vacancy in the office of the Lord Chancellor, who always goes out with his party, and the question was, who should succeed Sir Edward Sugden? The Government did not again venture to send over Lord Campbell, whose appointment as Lord Chancellor of Ireland, and the peculiar circumstances of it, raised a storm of indignation in 1841. It is said the office was offered to several, but this is not very likely. At all events, it was accepted by Chief-Baron Brady. The fact that he was to be elevated to the post of Lord High-Chancellor of Ireland excited very great surprise among the bar of Ireland. That he had been an excellent Chief-Baron nobody could deny. His clear common sense and business habits rendered the business of his Court easy, and his bluff, unaffected manner, the readiness with which he disposed of the motions of counsel or law arguments, and the very great ability with which he presided over a Court, composed as it was of very able and distinguished judges, made him an admirable Common-Law judge. What then were his qualifications as Chancellor? He never had any practice in that Court. It was said he never received a single guinea in the Court of Chancery, and yet he was appointed over the head of men of acknowledged talent and competency as Equity lawyers, and members of the Whig party, such as Richard Moore and Baron Richards.

Soon the secret was known: the Ministry wished to provide a judicial place for Mr Pigot, and to make him Chief-Baron they promoted Mr Brady. These appointments rankled in the minds of men who, perhaps, conscientiously believed they were called upon to expose them; and a stinging pamphlet, called "The Voice of the Bar," denounced them in scathing terms. A few passages from this publication, which was speedily withdrawn from circulation, must serve as specimens of the language used in commenting on the late promotions:—"The system of raising the mediocrities of the bar into the highest and most honourable places of the bench and executive power, must be put a stop to. The legal profession in this country, and the mercantile community, are now beginning to feel the consequences of incapable officials being admitted to posts which should be reserved exclusively for signal talent and learning. A reaction is rising in the whole public mind against the plan which hoists mediocrities into high places by the leverage of clique and faction. The system must be stopped peremptorily, now and for ever. We will do it! We will do so by an exposure at once, bold, searching, and comprehensive, and in doing so, discard party views and sectarian sympathies, treating the whole question on the broadest public grounds. We commence by paying our respects to that venerable bench, which still contains men of the greatest powers, and by their very talents we conjure our rulers, Whig and Tory, that the bench which boasts the superlative capacity of a Blackburne, the splendid judicial virtues of a Pennefather, the vigour and black-letter reading of Perrin, the refinement and academic scholarship of Crampton, the astuteness and erudition of Lefroy, the thoroughly legal intellect of Richard Moore, the practical ability of



Richards, should not be allowed to degenerate from its rank, and be gradually *Pigotised*.\*"

Having satirised a variety of the appointments, justly indeed with regard to some, most unjustly and unfeelingly with regard to others, this writer, or writers, for more than one were supposed to have contributed to the "Voice," continued,—“If any one had been told ten years ago that Maziere Brady would one day be Lord Chancellor of Ireland, it would have seemed as improbable as if it were now announced that the Princess Royal of England was betrothed to the hippopotamus. Mr Brady, as his fee-book can show, never received a single guinea in the Court of Chancery. Very few were the guineas he received at the Common-Law bar. But the Melbourne Whigs wanted in 1835 some Protestant O'Connellites, and accordingly Mr Brady was passed through the Crown offices, over the heads of men his seniors and superiors in all respects.

“We have no desire to deal harshly with Mr Brady, for none more regrets his failure as a Chancellor. It is most painful to see him bewildered by the casuistry of a Christian,† baffled by the subtlety of Francis Fitzgerald,‡ and badgered by the disputatious energy of Brewster,§ rocked to and fro by the vigorous advocates of that Court where he sits as a judge, but not as an authority. Is it not lamentable to find an English judge expressing himself, in the case of Piers and Piers,|| upon the ‘*monstrous errors*’ committed by the highest legal functionary in Ireland?”

The best answer to all this malevolence is the fact that Mr Brady sat upon the bench of the Court of Chancery, with occasional intervals, for about eighteen years, during which time he decided a vast number of important causes, and that only twenty of his decrees were appealed from; but, of these, twelve were affirmed, seven reversed, and one fell to the ground.

The Lord Chancellor of Ireland has other functions to discharge besides those appertaining to his judicial office. He is the head of the magistracy, appoints and removes the justices of the peace. One of the first acts of Lord Chancellor Brady was to restore Daniel O'Connell and others, who had been removed by his predecessor, Sir Edward Sugden; but ere long, in 1849, he was compelled to adopt a like course himself with regard to some magistrates who sympathised with the Young Ireland party.

In 1850 the Queen's University was established in Ireland, in the vain hope of satisfying the Roman Catholic demand for a University. As no religious creed was recognised, Sir Robert H. Inglis denounced the project as a “gigantic scheme of godless education.” The Viceroy, the Earl of Clarendon, at that time occupied the office of Chancellor, and the Lord Chancellor Brady that of Vice-Chancellor of the Queen's University. He continued to preside over the ceremonies of conferring the degrees in St Patrick's Hall, Dublin Castle, for nearly twenty years, and usually made a very hopeful speech, to show the

\* The Voice of the Bar, p. 1.

† Afterwards Lord-Justice of Appeal in Chancery.

‡ Subsequently a Baron of the Exchequer.

§ Once Lord Chancellor of Ireland.

|| 13th Jurist.

support which the Queen's Colleges received throughout the country ; but in truth they proved utter failures, when we consider the vast amount of public and private means expended upon their maintenance.

In 1852 the Whig Government, defeated in the Commons, resigned office, and the Lord Chancellor Brady was succeeded by Mr Blackburne. The shuffle of the political cards restored him the following year, and he presided in the Court of Chancery thence until 1858, when the Government of Lord Palmerston was displaced, and, on the advent of the Tories, Mr Napier obtained the Great Seal. But again in 1859 the Whigs were in the ascendant, and Brady Lord High Chancellor. Thence for more than six years he uninterruptedly held the Great Seal. It was during this period, February 1864, on the bringing up of the report upon the Address to Her Majesty on the Royal Speech, that the Right Hon. James Whiteside made a violent attack upon the Irish Government, which he described as consisting of Larcom and the police. He humorously described the antagonism of the members of the Irish executive—the Chief Secretary, Sir Robert Peel, being regarded as a Conservative, Lord Chancellor Brady, an O'Connellite, and Lord Carlisle, the Viceroy, trying to act as mediator between the contending parties. Some other observations with respect to letters which appeared in the *Dublin Evening Mail*, and were said to be written by a son of the Lord Chancellor, as also the subject of distribution of patronage, called up the Attorney-General for Ireland, who very forcibly and ably defended the Chancellor. The Whigs were once more ejected from power by Lord Dunkellin's motion on the Reform Bill, in June 1866, and having finished his list, Lord Chancellor Brady sat for the last time.

During his vacations and after retiring into private life he amused himself with scientific studies and the contemplation of works of art. He was fond of geology and conchology, and possessed a large accumulation of specimens. He was also a good judge of pictures, and had a valuable collection of paintings.

In 1869 the Gladstone Government, desirous of testifying their sense of his merits, conferred upon him the dignity of a baronetcy.

On occasions of public interest, or when tributes were to be paid to illustrious Irishmen, the ex-Chancellor came forth from his retirement. At the meeting held in the Mansion House, Dublin, Friday, the 21st of May 1869, to erect a testimonial to the memory of the late Field-Marshal Viscount Gough, the Right Hon. Sir Maziere Brady, Bart., moved the first resolution, which declared that Lord Gough's eminent services merited being commemorated by his countrymen.

Shortly after this he became very infirm, and was confined to his house. Thus he was unable to attend as Vice-Chancellor of the Queen's University when the time arrived. Chief-Baron Pigot, who presided in the place of the Vice-Chancellor, thus alluded to his absence :—

"It only remains now for me to perform the duty that, by the absence of the Vice-Chancellor and the Chancellor,\* and by the desire of the senate, it has become my function to perform. I cannot do so

\* The Earl of Clarendon.

without deeply lamenting the cause of its devolving on me. I do not like, because of the strong and long-continued and earnest friendship that has existed between me and your Vice-Chancellor, to trust myself in saying much on the subject. This I think I may be permitted to say, that I hope and believe all who hear me are disposed to concur in that hope, that the cause of his absence will be but temporary, and that before any considerable time shall elapse, and indeed I hope and believe after a very short lapse of time, he will give us again the benefit of his enlarged knowledge, of his anxious care and assiduity in watching over the interests of this institution, of his great experience, of his remarkable aptitude for business, and of that which distinguishes him most,—that sound, clear, cautious, sagacious judgment by which all his other endowments are guided and ruled. His Excellency has been graciously pleased to honour us with his presence, and I would ask him, as his predecessors have done, to do us the favour of distributing the medals and prizes."

The Lord-Lieutenant, Earl Spencer, thus referred to the absent Vice-Chancellor:—

"I may express my deep regret that your Vice-Chancellor, to whom allusion has been made in such excellent and admirable terms by the Lord Chief-Baron, is absent, and for the cause that prevents his being present as usual on these occasions. I need not add a word to the eloquent expressions that have been used by my Lord Chief-Baron in reference to Sir Maziere Brady. I most sincerely trust that, on the next occasion when your University meets here, we shall find that the rest, which his prolonged and arduous labours during life have necessitated, may have restored him to perfect health and vigour, to assist at the ceremony which has always such interest at this season of the year."

These hopes were not destined to be realised; he did not rally, and his death took place on the 11th of April 1871. The deceased Baronet was married first, on the 26th of July 1823, to Elizabeth Anne, daughter of Bever Buchanan, of Dublin, by whom he had two sons and three daughters. She died in 1858, and he married again in 1860, Mary, the second daughter of the Right Hon. John Hatchel.

On the first meeting of the Committee under whose management the afternoon lectures were delivered in Dublin, 19th April 1871, Lord O'Hagan, who, on the death of Sir Maziere Brady, was elected president, thus alluded to their recent loss. He said—"It is not customary that any one save the lecturer of the evening should address you in this place. But I feel it quite impossible to occupy, for the first time, the position of your president, without a word of reference to the good and gifted man who held it for so many years, Sir Maziere Brady. Almost since my boyhood he was my kind and true and steadfast friend, and I lament deeply his departure from among us. And you lament it, too, for he was one of the most efficient founders of your Society, and by his constant sympathy and friendly countenance, promoted the success of these exhibitions of intelligence and culture by which you have done such credit to the Irish people. I am not here to speak his panegyric. It is not the fitting time or the fitting place. I cannot tell you of his judicial eminence, his political integrity, or his



great public services. They will live in the history of Ireland, and her appreciation of them has already been testified by those of every creed and party who thronged around his grave. But we, at least, cannot forget his cultivated tastes, his varied accomplishments, and his munificent patronage of art; and those who had the happiness of knowing him, can testify, that through all the phases of a chequered but most prosperous life—in his greatness as in his humbleness—from the initiative of a career to which his principles seemed at first to forbid all progress to its successful culmination—he was unaffected, courteous, and kindly—without assumption and without pretence—a true, a simple, and an honest man. We lament his departure, but there is consolation in the thought that he lived to enjoy the ripeness of many fruitful years, possessed all that should accompany old age—

‘As honour, love, obedience, troops of friends.’

“Now those friends mourn for him with true attachment, and his country holds him in kindly and grateful memory.”

SIR RICHARD MAYNE, K.C.B.

BORN 1796—DIED 1868.

SIR RICHARD MAYNE, Chief Commissioner of the Metropolitan Police of London, was a son of the Hon. Edward Mayne, who was one of the judges of the Court of King's Bench in Ireland from 1817 to 1820. The Maynes are said to be of an old Kentish family that migrated to Ireland in the reign of Queen Elizabeth and established itself in the counties of Fermanagh and Monaghan. Richard Mayne was born in Dublin in 1796, and was educated at Trinity College, Dublin, and afterwards at Trinity College, Cambridge, where he took his B.A. degree in 1817, and proceeded M.A. in 1821. He was called to the bar at Lincoln's Inn in the following year, and at once joined the Northern Circuit. Possessing both talent and interest, he was a rising barrister on that circuit in 1829, when he was appointed by Sir Robert Peel, then the Home Secretary, to the post of Chief Commissioner of the Metropolitan Police. Sir Richard was nominated a Companion of the Bath in 1847, in recognition of his official services, and was advanced to the dignity of a K.C.B., civil division, at the time of the Great Exhibition of 1851. He married, in 1831, Georgina, eldest daughter of Mr Thomas Carvie of Wyke, Yorkshire, and of Moat Mount, Highwood, Middlesex, by whom he left issue. His son Richard Charles Mayne became a Commander in the Royal Navy.

He died on the 27th of December 1868, at his residence, Chester Square, after a severe illness. By his death the public lost a valuable and most meritorious servant. To form a correct estimate of his services, it would be necessary to compare the condition of London as it was in 1829 with its condition in 1868, at the time of Sir Richard's decease. It is not easy, now, to conceive the condition of a city consigned every night to darkness, and the custody of a few decrepid watchmen. In those days there was little gas; no regulation of the thoroughfares; and the law and its officers were scarcely known beyond the precincts of

the Courts. With the rapid increase of population and traffic, the establishment of a new and efficient police was felt to be a matter of necessity, and yet its introduction raised a storm of popular indignation, being regarded as nothing short of a dangerous encroachment on the liberty of the subject and the foundations of the British Constitution. Under such circumstances, it is not easy at the present time to conceive, much less to realise the difficulties which Sir Richard Mayne had to encounter. He and his colleague Colonel Rowan were called upon to raise, organise, and train a small army, to instruct them in duties hitherto unknown in England, and to teach them to discharge their office with the utmost patience and consideration. How they succeeded in organising such a force, and gradually reconciling the people to the control of a novel power, of which at first they felt not a little suspicious, is now a matter of history. Nothing but great ability, industry, and patience could have triumphed over such difficulties; and these qualities Sir Richard Mayne for the greater part of his life placed at the service of the public with singular assiduity and devotion.

SIR BENJAMIN LEE GUINNESS, BART.\*

BORN 1798—DIED 1868.

SIR BENJAMIN LEE GUINNESS, Bart., LL.D., J.P., and D.L., Lord Mayor of Dublin in 1851, and one of the Ecclesiastical Commissioners of Ireland, was born at Beaumont, in the county of Dublin, on the 1st of November, 1798. The family of Guinness claims descent from the ancient and eminent house of the Magennis, in which formerly vested the Viscounty of Iveagh. Several members of the Magennis family lie interred in the churchyard of St Catherine's, Dublin, and in the parish register the transition of the name from Magennis to M'Guinness or Guinness is clearly traceable. The first who bore the name as at present spelt was Richard Guinness, of Celbridge, in the county Kildare, born about the year 1680. He married Elizabeth, daughter of William Read. of Hutton Read, county Kildare, and by her (who was born in 1698, and died 28th August 1742) had issue, the eldest son Arthur Guinness, of Beaumont, county Dublin, who married Olivia, daughter and co-heiress of William Whitmore, of Dublin, by Mary his wife, daughter of John Grattan, and cousin of the Right Hon. Henry Grattan, and had issue, of which the second son Arthur Guinness, of Beaumont, county Dublin, J.P. and D.L., born 12th March 1768, held for many years, honoured and respected by all classes of his fellow-citizens, the foremost place amongst the merchants of his native city of Dublin. His connection with the mercantile community extended over more than sixty years, and his public services during that long period may be estimated by the universal regret of the whole country at his decease. He married Anne, eldest daughter and co-heiress of Benjamin Lee, Esq. of Merrion, county Dublin (of a branch of the English family of Lee, Earls of Lichfield),

\* We are indebted for this sketch to a friend of the late Sir Benjamin Lee Guinness.



and had issue, William Smyth Grattan, of Beaumont and Park Annesley, who died 21st March 1864; Arthur Lee, of Stillorgan House, county of Dublin, who died unmarried 1862; Benjamin Lee, the subject of this memoir; Susan, who was married in June, 1832, to the Rev. John Darley, Fellow of Trinity College, Dublin, who died Dec. 1836, leaving issue; Mary Jane, who was married in October 1845 to the Rev. David Pitcairn, of Torquay; Louisa, who died unmarried 18th January 1856; Elizabeth, who was married in April 1849 to the Rev. William Jameson of Hollybank, county Dublin, and had issue; Rebecca, who was married in June 1844 to Sir Edmund Waller, Bart., of Newport, county Tipperary, who died 9th March 1851. Mr Guinness died 9th June 1855; and his only surviving son was Sir Benjamin Lee Guinness, who, in the year 1851, was elected first Lord Mayor of Dublin under the newly reformed corporation; the dignity and magnificence with which he filled the office is well remembered. He received from the Crown the Commission of the Peace and a Deputy Lieutenancy. He was elected one of the Ecclesiastical Commissioners of Ireland, and received from the Board of Trinity College the honorary degree of LL.D. In the year 1865 he was returned to Parliament as senior member for the city of Dublin, in place of Sir Edward Grogan, who then retired. He was on the board of many benevolent institutions, and took an active part in every really good and useful work connected with the relief of the poor, the social advancement of the people, or the promotion of religion. But the great work with which his name will be chiefly identified in the history of his native city is the restoration of the venerable Cathedral of St Patrick. The splendid ceremonial, of which the restored edifice was the scene on the occasion of the re-opening service on St Matthias' day, 1865, will serve to perpetuate the memory of his energetic and patriotic spirit and princely munificence. The citizens of Dublin were justly proud of what had been that day accomplished. One of their venerable cathedrals, built in the 12th century on the site of an ancient church ascribed to their patron saint, and associated with the names of the great Archbishops Comyn and Henry de Landres, was presented to them in renovated beauty and splendour, restored, almost from ruins, by the bounty of their fellow-citizen, with a tender fidelity to its original design. That a man should be then living in their midst, capable of conceiving such a design from no other motives than love to God, and a desire to restore for His worship a noble and venerable fane, and preserve for his country and his native city a monument of such antiquity and so many spirit-stirring associations—of expending on this object a princely fortune—was surely a legitimate subject for pride to the city which then counted him as one of her living sons. Many have been found willing to bequeath to works of benevolence that wealth which they could not carry with them out of this world—few are capable of that far higher liberality, which bestows during life the riches which might more selfishly have been expended on personal gratification or family aggrandisement.

But viewing the character of Sir B. L. Guinness generally, and not especially in connection with the great work of his life, it may be safely affirmed that few men ever so worthily enjoyed the sincere respect



and attachment of their fellow-citizens. In his personal character he displayed a rare combination of all those qualities which "win the hearts of the people;" he was thus a favourite with all classes, and his death excited universal feelings of the most profound regret.

He was created a baronet of the United Kingdom by patent, dated 15th April 1867, Her Majesty granting to him and his successors the right to bear supporters. The restoration of St Patrick's, although the greatest, was not the last act of Mr Guinness' bounty. The Public Library, founded by Archbishop Marsh, which adjoins St Patrick's, was represented to him to be in a dilapidated condition. With prompt liberality he directed its immediate restoration, and it is now another monument to his open-hearted benevolence. Patriotic and public-spirited men, such as he was, are benefactors not only of their own age, but their noble deeds quicken the seeds of like virtues in generations to come.

"Whene'er a noble deed is wrought,  
Whene'er is spoke a noble thought,  
Our hearts with glad surprise  
To higher levels rise.

The tidal wave of deeper souls  
Into our inmost being rolls,  
And lifts us unawares  
Out of all meaner cares.

Honour to those, whose words and deeds  
Thus help us in our daily needs,  
And by their overflow,  
Raise us from what is low!"

Sir Benjamin married, on the 24th of February 1837, Elizabeth, the third daughter of the late Edward Guinness, Esq. of Dublin, and by her had issue:—Arthur Edward, who married Lady Olivia White, daughter of the Earl of Bantry; Benjamin Lee, Captain Royal Horse Guards Blue, born August 4, 1842; Edward Cecil, born November 10, 1847; and Anne Lee, who was married to Lord Plunket. Sir Benjamin died on the 19th of May 1868, and was succeeded by his son, Sir Arthur Edward.

WILLIAM DARGAN.

BORN 1799—DIED 1867.

WILLIAM DARGAN was born in the county Carlow, Ireland, on the 28th of February 1799. He was the son of what is termed in Ireland "a gentleman farmer." After leaving school, he was placed at an early age in a surveyor's office, where he soon evinced great skill in calculation, and a great aptitude for business. Shortly afterwards he obtained an engagement in England under Mr Telford, and was employed in the construction of the great Holyhead Road. His remarkable abilities having gained him most favourable recommendations from his English employer, he had no difficulty, on his return to Ireland, in obtaining the Government contract for the road then projected between Dublin and Howth. The next great work in which he was engaged was the Dublin and Kingstown Railway, an undertaking the first of its kind in

Ireland, and indeed in the world. By his great success in carrying out these undertakings, he established for himself a reputation which secured for him a preference in nearly all the contracts for the great railway and other works thenceforth projected in Ireland. Among the many successful undertakings with which his name is pre-eminently associated, may be mentioned the Ulster Canal, between Lough Erne and Belfast, the Great Southern and Western, the Midland Great Western, and the Dublin and Wicklow Railways. But although, by the successful accomplishment of these great works, his abilities had been recognised and rewarded, it was not until the year 1853 that the character of William Dargan became fully known, not only to all his fellow-countrymen, but to all the civilised nations of the world. In that year was opened the Dublin Exhibition, which owed its existence solely to his patriotic munificence. The outlay amounted to the large sum of £100,000, and although the exhibition was eminently successful, he was ultimately a loser to the extent of £10,000. In July 1853, a public meeting was held in Dublin to acknowledge Mr Dargan's great and generous services to his country, and a subscription was opened "to perpetuate in connection with his name the remembrance of the good he had effected, by the founding of some institution that would be permanently useful in extending industrial education."

The funds thus collected being supplemented by a Government grant, were applied in founding "The Irish Institution," which stands on a portion of the ground occupied by the Exhibition building, in Leinster Lawn. In the year of the exhibition, it was the Queen's pleasure to offer Mr Dargan the honour of a baronetcy, but he declined the distinction, influenced probably by the feeling that his efforts had only for their object the advancement of his country, and perhaps too, in the belief that he would be "*spreto honore splendidior*." It has been remarked of Mr Dargan, that "he was one of the most remarkable instances on record of men who are the architects of their own fortunes, and the promoters at the same time of the progress and prosperity of the country to which they belong. He possessed, in truth, in a singular degree, the qualities which can alone place a man in the van of civilisation and industrial progress. Prompt, sagacious, clear-sighted, and far-seeing, he estimated character by instinct, and was thus seldom mistaken in those whom he selected to carry out his plans. Two appellations by which he was known will illustrate his character—"The workman's friend," and "The man with his hand in his pocket." The former he well merited by the justice and wise liberality of his dealings with the artisan class. The latter, while it originated in Jones' celebrated statue (in which he is represented in that attitude), and perpetuated by a not infelicitous poem, is indicative of his readiness to spend his money freely, when his judgment or his patriotism suggested it.

He died in February 1867, at his residence, Mount Anne Villa, in the county of Dublin.

## LORD ROSSE.

BORN 1800—DIED 1867.

WILLIAM PARSONS, Earl of Rosse, one of the most eminent practical astronomers of the nineteenth century, was born on the 17th of June 1800. He was known during his father's lifetime under the title of Lord Oxmantown, and was educated at the University of Oxford. From 1821 till 1834, he was member of Parliament for King's County, in which his family residence is situated. In 1831 he became a Fellow of the Royal Society, and he was for several years president of that body. He was an Irish Representative Peer for many years, and was a Knight of St Patrick, and received the decoration of the legion of honour.

His great telescope, whose reflector is six feet in diameter and the tube fifty-six feet in length, is famous over the world, and has been the means of making extraordinary discoveries as to the structure of objects in the remoter regions of the heavens. Lord Rosse's great achievement was the perfecting of the metallic specula of reflecting telescopes to a degree before unknown. He succeeded, too, in making them of unprecedented size. Descriptions of the processes adopted by him in making specula are to be found in various volumes of the Philosophical Transactions since 1840. Many and most interesting accounts have been given in various popular works of the great telescope and observatory at Parsonstown.

Lord Rosse was elected Vice-Chancellor of the University of Dublin on the 12th of November 1862, and died on the 31st of October 1867.

## WILLIAM SMITH O'BRIEN.

BORN 1803—DIED 1864.

WILLIAM SMITH O'BRIEN, once M.P. for the county Limerick, the second son of Sir Edward O'Brien, fourth Baronet of Dromoland, county Clare, by the eldest daughter and co-heiress of Mr William Smith of Cahirmoyle, Limerick, was born October 17, 1803. His eldest brother (better known as Sir Lucius O'Brien, long the Conservative M.P. for Clare) succeeded his father as fifth Baronet in 1837, and became thirteenth Baron Inchiquin in 1855, on the death of his kinsman the Marquis of Thomond. The name of William Smith O'Brien has been long familiar to the public, and his career has been so remarkable that a review of his life and adventures must possess a deep interest, not only throughout the United Kingdom, but abroad and in the colonies, and wherever Irishmen are found.

The O'Briens were Protestants and Tories. Notwithstanding the patriotic associations connected with the history of the family, Mr W. S. O'Brien was educated at Harrow School and Trinity College, Cambridge, and entered Parliament in 1826 as the Tory M.P. for Ennis,



and gave his interest against O'Connell at the famous Clare election. He was also member for the county of Limerick from 1835 to 1849, when, in consequence of his conviction for "high treason," he was expelled the House. Not only were the O'Briens opposed to Mr O'Connell at the Clare election, but Mr Smith O'Brien on one occasion, in his place in the House of Commons, strongly censured the conduct of the chief of the Repeal party. A great change, however, subsequently passed over his political views. He became an ardent friend of the national party, and advocated their cause with such extreme enthusiasm, that he was continually embroiled in quarrels with the House, which resulted on one occasion in his committal to the custody of the sergeant-at-arms. Various explanations may be assigned for the curious conversion of a middle-aged country gentleman, of Conservative opinions, and a "staunch Protestant," into a violent partisan of the Young Ireland party. Perhaps he had looked into the past, and pondered so long over the power of his family in forgotten times, that his view of things present and future had become infested with such notions of greatness. The wrongs and growing miseries of his country, which were set before him by the eloquence of O'Connell, found, in the descendant of the great O'Brien family who possessed an ardent and excitable disposition, a receptive mind. Added to this, there may have been the disappointment of a clever man at not being particularly successful in commonplace public life. But, however we account for the change, he exhibited after it the zeal of a convert; the ambition to be a leader of the Irish popular cause seemed to take complete hold of him, and having begun by opposing O'Connell, he ended by out-Heroding Herod, and exciting the jealousy of his former antagonist by usurping his place as a rival. It may be imagined how great was the delight of the National party when, at the commencement of the state prosecutions in 1844, which deprived them for awhile of the Liberator himself, they saw his vacant chair, in Conciliation Hall, occupied by this miraculously converted Protestant, landlord, and Tory. His descent from King Brian Boru, the hero of Clontarf, the only great purely Irish victory, kindled high the flames of popular enthusiasm; and the ardour of such a temperament is sure to feed on the excitement it produces. When O'Connell returned from prison, he was obliged to accept O'Brien as his lieutenant. But there was a wide divergence between them. A party of irreconcilables had grown up in Conciliation Hall; its appeal was to the sword, and it looked upon the moral force party with contempt, as semi-Saxon and not truly patriotic. Mr O'Connell had never intended his physical force demonstrations as more than a parade; the Young Irelanders, who strove to raise Mr Smith O'Brien into the chief command, intended physical force seriously. O'Connell knew the power of England to crush insurrection; the Young Irelanders were blinded by enthusiasm, misty poetry, and ancient Irish history, and had as little idea of the disproportionate nature of the struggle they were provoking as if they had expected it to be waged with flint-headed arrows, seeming ignorant of the inventions of gunpowder, railway travelling, and the telegraph. Again, O'Connell was a strict Roman Catholic, and would do nothing without the priests; the Young Ireland party

adopted a Protestant leader, excluded religion, and proclaimed secularism in treason. This was a principal cause of their complete failure to rouse the people, or to invoke the courage that Irishmen possess, in a cause of which their conscience approves. Smith O'Brien, Davis, Duffy, Meagher, and the rest of the party, thought that a national, as distinguished from a religious rebellion, was possible in Ireland, but in this they found their wretched mistake. Without the priests, the agitators were nothing, when it came to the point of physical force. This was proved again in the Fenian insurrection. As Meagher said to his fellow-prisoners in Richmond Bridewell, "We made a fatal mistake in not conciliating the Roman Catholic priesthood. The agitation must be baptised in the old holy well."

In consequence of these differences between Young and Old Ireland, the former retired in a body from Conciliation Hall in 1846, and set on foot the Irish Confederation, which contemplated the establishment of an Irish republic, of which O'Brien was to be the president. With such objects in view, the confederation in 1848 sent a deputation to Paris to solicit the aid of the Republican Government then recently established. The deputation consisted of O'Brien, Meagher, and O'Gorman, who presented a congratulatory address to President Lamartine. He told them that the great democratic principle was "the new Christianity bursting forth at the opportune moment; that the destiny of Ireland had always deeply moved the heart of Europe; that the children of the glorious isle of Erin would always find in France, under the Republic, a generous response to all its friendly sentiments. But the Republic was at peace with England, and would not utter a word or breathe an insinuation at variance with the principle of the reciprocal inviolability of nations which it had proclaimed." He concluded thus—"The fallen monarchy had treaties and diplomats—our diplomatists are nations." After his return from Paris, we next find O'Brien, in his place in the House, opposing the "Crown and Government Securities' Bill," describing the military strength of the Republican party in Ireland, and calculating its chances of success. He was, however, interrupted by a scene of indescribable commotion, and overwhelmed in a torrent of jeers, groans, and hisses; while Sir George Grey, in replying to him, was cheered with the utmost enthusiasm. The Bill, despite his opposition, became law, and under its provisions John Mitchell was tried, found guilty, and transported. O'Brien and Meagher were also tried, but, owing to a disagreement of the jury, they were acquitted.

Towards the end of July Lord Clarendon took effectual measures for crushing the rebellion. In order to avoid arrest the leaders fled from Dublin. On the night of the 22nd, O'Brien started by the Wexford Mail, and proceeded to Enniscorthy. Thence he crossed the mountains into the county Carlow, where he visited the parish priests, whom he expected to assist him in raising the country. Their answer was, that in their opinion those who attempted to raise a rebellion were insane. In the towns of Carlow and Kilkenny he harangued the people, and called upon them to rise. He then went to Cashel, where he left his portmanteau, containing a letter from Mr Gavan Duffy, which was produced as evidence against him. In the

meantime a reward of £500 was offered for the apprehension of William Smith O'Brien, and £300 for each of Meagher, Dillon, and Dogherty. The insurrection had now actually commenced; at a place called Mullinahone, where at the ringing of the chapel bell, large numbers of the peasantry assembled in arms, they hailed Smith O'Brien as their general. On the 26th of July he proceeded to a police barrack containing six men, to whom he promised better pay and promotion if they would join his ranks, bidding them refuse at their peril. They peremptorily refused, and he marched off without attacking them. On the 29th he appeared on Boulagh Common, near Ballingarry, on the borders of Tipperary. There, Sub-inspector Trant, with about fifty men, had fortified himself in the house of "the Widow Cormac." The rebels surrounded the house, their chief standing in the cabbage garden, and parleying with the constabulary through the window. He quickly retired, however, and mounted a horse which he had taken from a policeman; Trant, apprehending an attack, ordered his men to fire, and a fight ensued. Two shots were aimed at Smith O'Brien, and a man that stood beside him was killed. Another party of police, under the command of Mr Cox, and accompanied by Mr Trench, a magistrate, came up at the moment and fired on the rebels, who fled in the greatest confusion. Eighteen were killed and a large number wounded, the constabulary suffering no damage whatever. O'Brien now abandoned the cause in despair, and concealed himself for several days among the peasantry, not one of whom was tempted to betray him even for the large reward of £500. Unaccustomed to, and not relishing his fugitive life, he ventured from his hiding-place in the Keeper Mountain on the 5th of August, and went to the railway station at Thurles. While taking a ticket for Limerick, he was recognised and arrested by a railway guard named Hulme. Thus ended the insurrection of 1848. O'Brien was tried at Clonmel, by special commission, which opened on the 21st of September. With him were tried Meagher and MacManus. The trial lasted nine days. All three were found guilty of high treason, and sentenced to be hanged. The sentence was commuted to transportation for life; but owing to the powerful intercession of friends, the clemency of the Crown was extended to him after eight years, and he was permitted to return to his native land. Since that time, with few exceptions, he kept himself aloof from politics, but his opinions were still unchanged. After his return from Australia, he travelled extensively on the Continent, and also in North America. When he got back to Ireland he delivered lectures on the condition of that country, in which he charged everything that was amiss in the country to English misgovernment.

Personally, Mr Smith O'Brien was a man of the most estimable character, and he was regarded by all parties as one of the most truthful, honourable, and kind-hearted of men. His talents were respectable, and his errors and misfortunes arose perhaps from a natural pride in his illustrious descent.\* His sallow, interesting countenance,

\* The O'Donoghue, in his "Historical Memoir of the O'Briens," has given a special history of this family.



gentlemanly and quiet, but suggestive of enthusiasm and morbid sentiment, was remarked when he attended the debates of the College Historical Society, and listened to the youthful efforts of the members, some years after his return from exile.

Mr O'Brien died at Bangor on the 18th of June 1864. His remains were conveyed to Ireland, and, contrary to the wishes of his family, his funeral was made the occasion of a tumultuous gathering of the Nationalist party.

SIR WILLIAM SHEE.

BORN 1804—DIED 1868.

THE Hon. Sir William Shee, one of the justices of the Court of Queen's Bench, a distinguished lawyer, advocate, and judge, who died on the 19th of February 1868, was descended from an old Irish family. His father, Mr Joseph Shee, of Thomastown, in the county Kilkenny, was a London merchant, and his mother was Teresa, daughter of Mr John Darrell, of Scotney Castle, in Kent. He was born at Finchley, Middlesex, in 1804, and he was educated at the Roman Catholic College of St Cuthbert, Ushaw, Durham, whence he proceeded to the University of Edinburgh. Having been admitted a member of Lincoln's Inn, he was called to the bar by that Society, June 19, 1828, and began his distinguished career by going the Home Circuit, and attending the Surrey Sessions. Both there and in the London Courts he rapidly rose to eminence. He was made a Serjeant-at Law in 1840; and in the same year he published an edition of Lord Tenterden's work on shipping, in which he displayed a thorough knowledge of that difficult branch of law, and fully sustained his high character as a sound and able lawyer. In 1847 he received a patent of precedence, and was made a Queen's Serjeant in 1857. He unsuccessfully contested the borough of Marylebone at the general election in 1847. In 1852 he was elected M.P. for his family county, Kilkenny, which he represented in Parliament till 1857. He was subsequently rejected by the constituencies of the county Kilkenny and of Marylebone. He was a moderate and consistent Liberal in politics, and in the House of Commons he supported the principles which he had always professed, naturally advocating the claims of the Roman Catholics. After practising at the bar for a period of thirty-five years, he was raised to judicial rank in 1864, as a justice of the Court of Queen's Bench. During his professional career he had long been the head of his circuit, and in London he was one of the most popular leaders. On more than one occasion he was appointed on circuit to preside in place of an absent judge. He was the first Roman Catholic judge of the Superior Courts of Westminster under the Roman Catholic Relief Act, the last Roman Catholic judge before him having been Sir Richard Allybine, a justice of the Court of King's Bench, who died in the year 1688. He was a man of the most amiable disposition and genial manners. In his professional and political life he always evinced a high and independent spirit, and unswerving integrity of purpose. To great talents he united

a large share of sound common sense, and his elevation to the bench was deservedly popular with both branches of the legal profession, and all members of the law, as well as with the general public. Mr Justice Shee was knighted in 1864. Of his short judicial career it has been justly remarked that "his manly bearing and untiring energy, his sound knowledge, and other excellent qualities, were making him also conspicuous on the bench, when, in the midst of apparent health, a sudden illness carried him off."

He married, in 1837, Mary, the daughter of Sir James Gordon, of Gordonstown and Letterfowrie, the premier baronet of Scotland.

## THE EARL OF DUNRAVEN AND MOUNTEARL.

BORN MAY 1812—DIED OCTOBER 1871.

RICHARD WINDHAM WYNDHAM-QUIN, third Earl of Dunraven and Mountearl, and Viscount Mountearl and Baron Adare of Adare, in the county Limerick, in the peerage of Ireland; also Baron Kenry, of Kenry, of county Limerick, in the peerage of the United Kingdom, was the elder son of Windham Henry, second Earl (who was for many years a representative peer of Ireland), by his wife Caroline, daughter and sole heiress of the late Mr Thomas Wyndham, of Dunraven Castle, Glamorganshire, whose name his father in consequence assumed. His lordship was born on the 19th of May 1812, and was educated at Eton. He succeeded to the honours of the Irish peerage at his father's death, in August 1850, and was made a deputy-lieutenant for Glamorganshire, and lord-lieutenant and *custos rotulorum* of the county Limerick. He was the proprietor of large estates, both in England and Ireland, and enjoyed a high character as a landlord. He also gave employment largely to the labouring classes, expending considerable sums annually in the improvement of his Irish estates. Born a Protestant, his lordship became a convert to Roman Catholicism, and was distinguished for his earnest devotion to the faith of his adoption. Upon his estate in Limerick he restored the abbey, and built the convent of Adare. He also contributed the greater part of the funds for the building of a small church at Sneem, in the county Kerry. His lordship, who was a man of high intellectual attainments, was a Commissioner of National Education in Ireland. He devoted himself specially to archæology, and in this branch of study he enjoyed no inconsiderable reputation, being well known as an active member of several archæological societies and academies of Great Britain and Ireland. He was one of the members for Glamorganshire, which he represented in the Conservative interest from the general election of July 1837 till the year 1851, but he never took a prominent place as a politician. He was for some years one of the representative peers for Ireland, and obtained the honour of an English peerage, by creation, in June 1866. Lord Dunraven was twice married—first, in 1836, to Augusta (third daughter of Thomas Goold, a Master in Chancery, in Ireland), who died in 1866; and second, in January 1870, to Anne, daughter of Henry Lambert of Carnagh, county of Wexford, formerly M.P. for

that county, by Catherine Talbot, sister of the late Countess of Shrewsbury. By his first marriage his lordship had a family of five daughters and one son, Windham Thomas, Lord Adare, a lieutenant in the 1st Life Guards, who succeeded to the family honours as fourth Earl. Lord Dunraven died at Malvern, on the 6th of October 1871, at the age of fifty-nine years.

We may mention that M. Montalembert dedicated the second volume of his "Monks of the West" to Lord Dunraven, in a gracefully worded and flattering Latin inscription, which first suggested to us the propriety of placing this brief record among our memoirs. Graven by such a hand, the dedication forms an enviable epitaph. A high archæological authority has informed us that a posthumous work of Lord Dunraven's is nearly ready to appear, and that this will establish his reputation as an archæologist, and fully bear out the flattering dedication of his friend, M. Montalembert.

#### MR JUSTICE WILLES.

BORN 1814—DIED 1872.

THE Right Hon. Sir James Shaw Willes, was born at Cork on the 14th of February 1814. His grandfather and father, both named James, were resident in Cork, the former as a merchant, and the latter as a physician. His mother was Elizabeth Aldworth, daughter of John Shaw, Esq., of Belmont, mayor of Cork in 1792. Young Willes was educated at Trinity College, Dublin, where he obtained honours, and graduated A.B. in 1836. He then entered, as a pupil, the chambers of Mr Collins, a distinguished member of the Irish bar, who enjoyed an extensive practice in the Courts of Equity and Common Law. Coming to London in 1837, to qualify himself for admission to the Irish bar by the requisite number of terms at the English Inns of Court, he entered the chambers of Mr Thomas Chitty, and while there his industry and ability were so favourably noticed, that he was induced to abandon the Irish for the English bar. He was accordingly called to the bar at the Inner Temple in June 1840, and having shortly afterwards joined the home circuit, the reputation he had already acquired in the chambers of Mr Chitty insured for him at an early period a very considerable circuit practice. In a few years, however, his reputation for solid legal learning became known in Westminster Hall, and his general practice rapidly increased. In 1849 he edited "Smith's Leading Cases," in conjunction with his distinguished fellow-countryman, Dr Keating, one of the present judges of the Common Pleas. In 1850 he was appointed a Common Law Commissioner, and assisted in drawing the Common Law Procedure Acts of 1852, 1856, and 1860, in accordance with the report of the commissioners.

In 1851 Mr Willes was made *Tubman* in the Court of Exchequer, a position always esteemed one of great honour. In 1855, when a vacancy occurred among the judges of the Common Pleas by the retirement of Mr Justice Maule, Mr Willes was raised to the bench, and received the honour of knighthood. At the time of his elevation



to the bench, he had been at the bar only fifteen years, and had not obtained a silk gown, but his reputation as an able and learned lawyer was so fully established, that his promotion was hailed with satisfaction by the profession as well as by the public. In the following year he married Helen, daughter of Thomas Jennings, Esq. of Cork.

During the whole period of his practice there was not a more hard-working man at the bar; and his industrious habits did not forsake him during all the years he was on the bench. Unfortunately, his physical system was too weak for the strain it had to bear; mental disorganisation was the result, and hence the painful catastrophe which the profession and the public alike had reason to lament.

The sad termination of the life of this excellent man, by self-destruction, was announced to the public in October 1872, and no event in our time has given a greater shock to the whole community, or caused "such deep regret for the public loss, and pity for one whose honourable and distinguished career had ended in so sad a manner."

To show the high estimation in which he was held as a lawyer and a judge, we quote a few extracts from "The Law Magazine" of 1872:—"It is not too much to say that Mr Justice Willes was the most learned lawyer of our day. To a thorough knowledge of the history of our own law in all its branches, he added a wonderfully large acquaintance with foreign jurisprudence. He knew the principles of law not merely from the teaching of others, but from having worked them out for himself by the comparison of different systems, and by the exercise of his own powers of analysis. With all the cases at his fingers' ends, he never rested on mere authority where a principle could be recognised. He was intimately acquainted with all the changes that our own common law had undergone, and with all the rules and forms of the ancient system of pleading. He knew by heart every old term of the law, every maxim of the law, every *cantilena* of the law. All these he could avail himself of with the greatest ease for the purpose of illustration or argument, if not with uniform success with reference to the point at which he aimed, yet with much interest to those whose studies had been similarly directed. He was not only a sound, but a scholarly lawyer, knowing exactly the relations which the existing features of our legal system bore to those of earlier periods, and familiar with the older as well as the more modern literature of the law. It was not difficult to discover occasionally a tendency to over-refining, but this rather affected the fringes of his argument than its substantial texture, and in no respect attached to the conclusions he sought to establish, which were always marked by sound common sense. He was too good and thorough a lawyer to allow himself to substitute his own notions of justice in place of a clear rule of law; but he had no respect for technicalities, and had no difficulty in setting them aside when they stood in the way of an obvious principle.

From the moment Mr Justice Willes became a member of the Court of Common Pleas, it was evident that he contributed an important element to the strength which that Court possessed during all the changes that its bench underwent during a period of seventeen years. "Whether sitting in banco, at *Nisi Prius*, in the Crown Court, or on election petitions, he never spared himself, and no one ever accused

him of being influenced on any occasion by the slightest feeling of partiality or prejudice, or of turning from the straight path by a hair's-breadth, either to the right hand or the left. In no judge on the bench had the commercial community greater confidence.

His loss was especially to be deplored at a time when great and important law reforms were engaging the attention of the Legislature. There was no man more anxious to improve the laws and their administration, and at the same time more competent to direct the difficult and delicate work of legal reform. "Not only on the subject of the reform of the system of judicature, but on all the other questions which have been brought forward respecting either the substance or the form of our law, both the profession and the country would have trusted much in the sound judgment, the ripe learning, the practical sagacity, and the great experience of him whose loss we now deplore."\*

In 1860 the honorary degrees of LL.B. and LL.D. were conferred on him by Trinity College, Dublin. On the 3rd of November 1871 he was sworn of the Privy Council, with a view, it is understood, to his becoming a member of the Judicial Committee under the recent Act.

It is not unworthy of being recorded that Mr Justice Willes joined the Inns of Court Volunteer Corps as a private, on its formation in 1859, and continued to serve in its ranks till within a short period before his death. He was fond of the society of literary men, and was on terms of intimacy with Thackeray, Dickens, and various other authors of eminence. No man had a more attached circle of private friends, and those who knew him best esteemed him most.

#### THE RIGHT HONOURABLE HENRY ARTHUR HERBERT.

BORN 1815—DIED 1866.

THE Herberts of Muckcross are chiefs of the great English house which owns the titles of Herbert of Chisbury, Powis, Pembroke, and Torrington. The founder of the family, Sir William Herbert, was knighted by Henry V. on the field of Agincourt. It is a remarkable fact that, with the headship of the Herbert family, the owners of Muckcross unite the distinction of being the representatives of the great Irish chieftain, M'Carthy More, or the Great M'Carthy, whose son became Earl of Glencar, and married a daughter of Herbert of Muckcross; on his death the estates came to the Herbert family, but the title of Glencar is still, strange to say, allowed to lie dormant. The lovely scenes of the Killarney Middle and Upper Lakes, and part of the Lower, are still, therefore, in the hands of those deriving from their ancient Irish possessors. Mr Herbert of Muckcross, in right of his Irish descent, is hereditary Prior of Innisfallen, an island which still retains some tottering arches and ruins of the monastery where King Brian Boru received his education, and the monks wrote their famous



Annals. The position of Prior now confers on its Protestant owner only some rights of fishing in the lakes. Henry Arthur Herbert was born in 1815, and was educated at Trinity College, Cambridge. In his early and stately prime he was one of the handsomest men of his day, uniting with the beautiful deep-lidded eyes of the Milesian the bolder features of the Norman. Personal appearance tells greatly on the southern Irish peasantry, and no doubt tended to the popularity which Mr Herbert enjoyed among his countrymen in Kerry. His father died when he was a minor, and in the same year (1836) that he came of age he was chosen High Sheriff. In the following year he married Mary, daughter of James Balfour, Esq. of Whittingham, Haddingtonshire. It was not until 1847 that he offered himself as a candidate for his native county. His early opinions rather leaned to Conservatism and the support of Protestant ascendancy in Ireland; but although he entered Parliament as a Conservative he soon became Peelite, and at last settled down into a steady follower of Lord Palmerston. Whether as a Conservative or Liberal, he was always returned for Kerry without a contest, his high position in the county and personal popularity making his seat impregnable. In Parliament he was not distinguished as a speaker, although he spoke with good sense and ease, and on one occasion was selected to second the Address; but he was an admirable man of public business, worked fourteen hours a day, and his high-mindedness and perfect good breeding made him a greatly respected member, and one whose judgment outweighed that of a multitude of men, some possibly more gifted, but none so sure to be instinctively right. He was, in short, known as one of the best and most impartial men that sat in the House of Commons, and as one of the hardest workers and most trusted members of its committees. It was pre-eminently, however, his position as one of the few great country gentlemen whom Ireland still possessed, a resident landlord who lived amongst his own people, and as one of the most judicious managers of an estate perhaps in the kingdom, that Colonel Herbert was so generally looked up to and admired. For these qualifications he was chosen as the most suitable person to fill the high post of Irish Secretary under the Earl of Carlisle in 1857. He discharged the duties of that office with almost unequalled success, showing an intimate knowledge of Irish affairs, and a capacity for dealing with them which has not always distinguished Irish secretaries. He bestowed great pains on practical measures, such as the Fairs and Markets Bill, Weights and Measures, Lunatic Asylums, &c. When the Whigs went out of power in the spring of 1858, it was a matter of universal regret, even to his political opponents, that Colonel Herbert could not honourably retain an office the duties of which he discharged with so much success. He had served a good apprenticeship for conducting public affairs in the management of his estates at Killarney. He was pre-eminently the man faithful over a few things made ruler over many. His conduct as a landlord was not, it must be admitted, exactly what pleased his tenantry. A writer in the *Times* thus described his habits:—"He had to create among them habits of industry, cleanliness, and thrift. The gray dawn of morning often found him many miles from home, paying an unexpected visit to



some sleepy tenant, and then with friendly good nature and genial humour, he would set to right with his own hands the many defective arrangements of an untidy Irish dwelling." He rode thus from house to house, and paid constant visits of inspection, going into the minutest details, and not sparing the filth and disorder to which the easy-going tenantry were perfectly resigned. Everything under him had to be kept in a state of perfection very uncongenial to their ordinary habits. On succeeding to his property he found his fine estates in a chaotic condition, the necessary result of a long minority, to the conclusion of which everything was postponed. It took him twenty years to bring it into order; but his energy and talent at last enabled him to make it a model for all Ireland. His improvements were not confined to the farming tenantry; he looked also to the labourers on his estate, and was the first to set the example of providing them with gardens to their cottages. He protected them from the exactions of the farmers for whom they worked, and the good results of his assiduous efforts appeared in the superior bearing and physique of the Muckross tenantry. When the dreadful famine years came, he set an example of self-sacrifice; he first sold his hounds, whose multitudinous voice sounded so harmoniously about the hill-encircled lakes, and then reduced his rents twenty-five per cent.; and, in the case of his poor tenantry, undertook for many years the whole poor-rate, which was then enormous; while he made a liberal allowance to the larger occupiers. By thus taking a double share of the national misfortune, so far as it affected his own estates, he pulled his tenantry through that dismal passage, and saved them from an exile which seemed to them far worse than death. His expression is worthy of record—"If I go down, I go down with my people; if we are saved, we shall share in each other's prosperity." The distinctions which he enjoyed as lord-lieutenant of his county, colonel of the Kerry Militia, and *custos rotulorum*, and his brief tenure of the office of Chief Secretary for Ireland, would scarcely entitle Colonel Herbert to a place in the crowded pages of biography, had he not been one who may be held up as a model of all that Ireland wants in a landlord—painstaking, just, considerate, kind, and paternal, a lover of his home, of his people, and of his country. *O si sic omnes!* His exertions in Parliament to obtain compensation for the unfortunate savings' bank depositors, for whom he was the principal instrument in collecting a relief fund, greatly increased the attachment of the people to him. We may mention, as an instance of his public spirit, that he gave his land gratuitously to promote a railway through the county of Kerry.

His comparatively early death, in 1866, after a premonitory stroke of paralysis one year previously, took place at Adare Manor, the seat of Lord Dunraven, and excited universal regret throughout Ireland.

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## JOHN FRANCIS MAGUIRE.

BORN 1815—DIED 1872.

JOHN FRANCIS MAGUIRE was born in the city of Cork in the year 1815. He was originally intended for commercial pursuits, but his great natural genius soon became apparent, and by a species of instinct common to most young Irishmen of talent, his thoughts were turned at an early age to the Irish bar. He was admitted in the year 1843; but in the meantime he had become devoted to literary pursuits, which he followed with so much success, that he was encouraged to establish a newspaper in his native city to advocate repeal; for into this cause he had flung himself with all the enthusiasm characteristic of his nature. The *Cork Examiner* was established in the year 1841, and steadily advancing in popular favour, it soon gained an influence rarely possessed by a provincial journal. Its great success, no doubt, was mainly, if not altogether, due to the rare abilities and indomitable energy of its founder. He now became so absorbed in all the great political questions of the day, that he entirely abandoned the profession of the law, although there could be no question that he possessed in an eminent degree all the qualifications necessary for the successful lawyer. Being now fairly committed to the arena of political life, Mr Maguire threw himself with devoted energy into public affairs, and became the vigorous advocate with tongue and pen of every cause which he believed to be for the benefit of his country. Side by side with the great repeal agitation, the temperance movement was then at its height, and Father Mathew found in him one of his most able and earnest supporters.\* On the platform, as well as in the columns of his paper, he soon became identified with those two great movements, and though comparatively a very young man, he was accounted one among the most promising of the many promising men of that stirring time.

But a critical moment was now fast approaching for those who derived their inspiration from the great leader of the repeal agitation. As long as O'Connell held undisputed sway, the course of politics was comparatively smooth. When, however, a large number of his followers, dissatisfied with his policy, had seceded, and the "Young Ireland" party was formed, and openly declared its design of effecting the independence of Ireland by armed insurrection, it became necessary for men like Mr Maguire to declare for one or other of the contending parties. Believing that successful armed insurrection was utterly impossible, Mr Maguire remained true to the doctrine of peaceful and constitutional agitation. In this difficult situation it was his good fortune, without any sacrifice of his honest convictions, to retain the good opinion and friendship of most of his opponents. The same good fortune, too, seems to have followed him in his subsequent Parliamentary career.

At the general election of 1847 he contested the representation of

\* Strangely enough one of Mr Maguire's first literary efforts, long before he became a journalist, was a squib ridiculing the temperance movement when it had just sprung into notice.



Dungarvan, in the repeal interest, with Richard Lalor Sheil, whose brilliant Parliamentary course had raised him to a seat on the Treasury benches. On that occasion he was defeated by a majority of fifteen votes. On the death of Mr Sheil he again contested the borough with the Hon. Mr Ponsonby, now Lord de Mauley, but was again defeated. At the general election of 1852 he once more appeared in the field, and was elected by a considerable majority. The defeated candidate, Mr Edmund O'Flaherty, having presented a petition against his return, a compromise was come to, by the terms of which he was to resign at the end of the session. This arrangement he was never called on to fulfil, Mr O'Flaherty having in the meantime been appointed a Commissioner of Income-Tax. The circumstance was, however, made use of against Mr Maguire. At the next general election Mr Gregory, the late member for Galway, and afterwards Governor of Ceylon, contested the borough. It was alleged that this was a mere *pro formâ* contest, in order to found a petition against Mr Maguire on the ground of a corrupt compromise. The petition was fought, and decided in Mr Maguire's favour.

In 1852 he took an active part in promoting the Exhibition at Cork, and drew up a report of its results, which he afterwards expanded into a valuable book of statistics, showing the industrial progress of the country. In the following year he became mayor of Cork, and his mayoralty was distinguished by many useful reforms, for which he was highly complimented at the end of his year of office. On the formation of the famous "Independent Opposition League," he was one of the sixty-two members of Parliament who pledged themselves to oppose every Government which would not make Tenant-Right, Disestablishment of the Church, a Catholic University, the repeal of the Ecclesiastical Titles Act, and some other enactments, Cabinet questions. It is creditable to Mr Maguire that he was one of the few who kept the solemn pledge of the League, and though the ranks of the Independent Opposition were gradually thinned by desertion, he remained faithful to the last; and not until the year 1868, when Mr Gladstone took up the Irish question, and adopted, almost point for point, the old platform programme of the Independent Opposition, did he consider himself absolved from the solemn obligation of his pledge. In the interval, however, his position was anything but pleasant; and that he himself most keenly felt the painful part he had to play, we have the authority of one who knew him well, and thus describes the situation in which he was placed. "As the time wore on, the position of an Independent Oppositionist in the House of Commons—one of less than a dozen amongst the six hundred and fifty—became one of an absolutely painful kind. Often and often has John Francis Maguire confessed to the writer, in the bitterness of his soul, the pain it cost him to play such a part. Looked on by both sides as enemies, unthanked for the support you gave, but hated for the hostility you had from time to time to offer, your very position being regarded as a standing reproach to each, it is not difficult to conceive how the duty often brought pain to a soul which after all was sensitive, and loth to give annoyance. This was especially the case during the long years of Lord Palmerston's power, when political scepticism was the ruling creed—when 'to leave things



alone' was considered the perfection of statesmanship; when to exclaim that 'tenant-right was landlord wrong' was to exhibit supernatural wisdom; and when both parties in the House of Commons avowed their intention to coalesce whenever necessary to put down any attempt to right the immemorial wrongs of Ireland. Yet in that time, and alike under its blandishments or discouragements, its sneers or its threats, John Francis Maguire never swerved from the path he had pledged himself to follow, and never lost sight of the objects for the attainment of which he had entered Parliament. He had assailed the formidable Premier in the House, and with deputations; he joined The O'Donoghue in a formal proposal for a Land Act; he was associated with George Henry Moore in the preparation of a Land Bill. Night after night he sat, as steadily as if he were the obedient servant of a ministerial whip, in the House, watching now to carry some motion, now to defeat some insidious clause, now to make some representation on behalf of an oppressed interest, and all with the certainty that he was in hostility to the feelings of the great masses of those around him. This may seem an easy thing to those who have not tried it, but there is, in fact, no severer test of a man's constancy and public virtue. The knight who will fight giants will often succumb to the witchery of a smile; the patriotism which can resist hot opposition or gross temptation, may find it hard to withstand the incessant sapping of the glance of wonder, the shrug, the gentle reproach, the confidential assurance that you are doing injury to the cause of the country, and ruining yourself, with all the other machinery of political seduction or menace. John Francis Maguire's constancy, though put to every possible test, stood them all firmly and bravely." This is, no doubt, a faithful account of Mr Maguire's position during that trying period; but it is not, however, to be supposed that he became completely isolated or destitute of friends. Such eminent men as Mr Cobden, Mr Bright, Charles Gavan Duffy, Frederick Lucas, and others, unfettered by party ties, honoured him with their friendship. Even Lord Palmerston himself evinced, on many occasions, and in an unmistakable manner, his respect for the sturdy and uncompromising Irish member; and his speeches were always listened to with attention whenever he had occasion to address the House. It was, however, during the latter years of his career that his character came to be more fully appreciated. The proceedings at the Mansion House, Dublin, immediately after his death, afforded ample proof of the estimation in which he was held. On that occasion men of all creeds and politics came forward to testify to his public and private worth. The resolutions which were then proposed by Mr Pim, M.P. for the county of Dublin, and by the Hon. Mr Plunket, Conservative M.P. for Dublin University, faithfully expressed the feeling of the whole country on the loss it had sustained by the early death of John Francis Maguire. The first resolution conveys in a few words a very good estimate of his public life:—"That we share in the sorrow so widely prevalent amongst men of all parties, called forth by the sudden and early decease of our distinguished countryman, John Francis Maguire, in whose public life and labours we all recognise and honour unselfish devotion to what he believed to be the public good, a generous consideration for the feelings of others,

and an indefatigable zeal in the advancement of the social, moral, and material interests of this country." Several other resolutions were adopted by the meeting, and all the speakers expressed themselves in terms of the highest eulogy of the deceased with regret for his loss, and many of them, speaking from the experience of long and intimate acquaintance, bore the warmest testimony to his moral worth and private virtues.

While Mr Maguire continued in the unfavourable position already described, it was very difficult for him to carry any legislative measure of importance, yet he did, almost single-handed, accomplish one measure of great benefit to the poor of his native country. Under the Law of Settlement, a residence of more than five years in one parish was needed to entitle an Irish-born pauper to relief in an English workhouse. The hardships and cruelties practised under this law were of the most outrageous nature. All protests against the frequent acts of gross injustice and inhumanity perpetrated under legal sanction were unavailing. Mr Maguire addressed himself vigorously to redress this crying evil. He first wrote an able pamphlet on the subject, and at last succeeded in securing the formation of a select committee of the House of Commons. As soon as the report of the Committee was presented, he allowed the Government and the poor-law authorities no peace until a Bill was brought in and passed, reducing the period of settlement required for relief to six months, and imposing severe penalties on any violation of the law, by the inhuman system of deportation of paupers, up to that time practised. If Mr Maguire performed no other service while in Parliament, this measure alone would have entitled him to the lasting gratitude of his countrymen.

A few years subsequently to his first mayoralty, he was again elected to fill the civic chair, and made his year of office memorable by an effectual crusade against nuisances and false weights. He also turned his attention to promote various enterprises for the benefit of the city. After much difficulty, he formed a local gas company in opposition to the existing English company, which availed itself of a monopoly to supply bad light at an extravagant price. This project proved a great success. Later on he worked up the formation of the Citizens' River Steamer Company, and so conferred an immense boon on all classes of his fellow citizens. In 1856 Mr Maguire made his first visit to Rome, and was received by the Pope with more than usual cordiality. The result of this visit was his well-known work, "Rome and its Ruler." His Holiness thanked him in an autograph letter, and in acknowledgment of his services to the Church, conferred on him the order of Knight Commander of St Gregory. He afterwards remodelled this work into an almost totally new book, under the title of "The Pontificate of Pius the Ninth." It is thought very highly of in Roman Catholic circles. Pope Pius wrote a very beautiful letter of consolation to his historian's widow, in which he expressed a high appreciation of the writer and the man.

In 1866, Mr Maguire giving up his seat for Dungarvan, was returned for the city of Cork, which he continued to represent down to the time of his death.

Among his literary productions may be mentioned his life of Father



Mathew—a most charming biography of the great philanthropist—and enhancing perhaps, more than any of his works, the reputation of the writer. But of all Mr Maguire's works, the most celebrated and best known is "The Irish in America." The following extract from a notice of this work may not prove uninteresting:—

"In the interval between his election and the introduction of the Reform Bill, he had entered upon a characteristic undertaking, which formed somewhat of an event in his life, and appears not to have been without influence on public policy. Lover of Ireland as he was, he remembered that there was another Ireland beyond the Atlantic. There, powerful in numbers, and warm in their memory of native land, were millions of the Irish who lay under the ban of misrepresentation by hostile English or careless American writers, until they seemed to be a reproach to the new land whose material greatness and whose glory they had helped to build up. So he resolved to see and to examine for himself, and the result was the book known as 'The Irish in America.' The preparation of the materials cost him six months' travelling in Canada and the States, and the most diligent use of his faculties of observation and inquiry. Many of our readers, doubtless, have perused the work, and need no criticism of its contents. It is sufficient to state that while it admits obvious faults in the Irish character, it shows that it has been grossly and deliberately maligned in the literature of American travel, and that the Irish people have steadily raised themselves in the social scale of their adopted country, and have given it most chivalrous service in its hour of need. The last chapter was perhaps its most important feature. It resuscitated the whole feeling of the Irish people in America as regards the relations of the old land to England, and it spoke in tones of solemn and impressive warning on the absolute necessity of a redressal of the wrongs of Ireland, if the resentment, not of the Fenians alone, but of men who had no connection with Fenianism, were not to be looked for the moment the opportunity of vengeance came. This book appeared, and produced no common effect. It made abundant fame, but we may say, no profit for the author."

His novel, "The Next Generation," is too well known to need description. He was an ardent advocate of justice to woman, and this was a fanciful and somewhat sportive dealing with the theme, though with a serious purpose too. His latest literary project was a History of the Jesuits. In the midst of this task his health gave way, and his death took place in St Stephen's Green, Dublin, on the 1st of November 1872. It may be said, with truth, that he fell a victim to overwork. The sorrow occasioned by his sudden and untimely death was not confined to his native land. In England, America, and Australia, there was an unanimous expression of regret for the premature loss of a man whose public career was at once so energetic for the right, and so stainless.

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THE RIGHT HON JOHN EDWARD WALSH, Q.C., LL.D., MASTER OF THE  
ROLLS IN IRELAND

BORN NOVEMBER 1816—DIED OCTOBER 1869.

THE Right Hon. John Edward Walsh was born on the 12th of November 1816, near Finglass, in the county of Dublin. He was the only son of the Rev. Robert Walsh, LL.D., vicar of Finglass, who, in the earlier part of his life, had been Chaplain to the British Embassies at St Petersburg, Constantinople, and the Brazils, and was known in the literary world as the author of several works of high merit. Mr Walsh received his early education under the Rev. J. Burnet, at Beective House School, which was then the principal educational establishment in Dublin. In 1832 he entered Trinity College, Dublin, and after a distinguished career, in which he took the highest honours in classics, ethics, and logics, and a scholarship in 1835, he graduated in 1836, obtaining the Senior Moderatorship in Ethics and Logics at the same degree examination at which the Venerable W. Lee, afterwards Archdeacon of Dublin, obtained the like rank in mathematics. Like most of the distinguished students of the University, Mr Walsh became a member of the College Historical Society, and though he had to contend with such formidable rivals as Butt, Ball, Kirwan, Keogh, Lawson, Willes, and other men who then gave promise of their future greatness, he was ranked among the most successful debaters of the Society, and was selected, as Vice-President, to deliver the opening address of the session in 1837. His address on that occasion was published at the request of the Society, an honour not then, as latterly, regularly accorded as a matter of course. He was called to the Irish Bar in Trinity Term 1839, and, as is the usual fate of juniors who have to make a connection for themselves, he remained for several years without practice.

In 1843, and for some years after, he reported for the "Irish Equity Reports," an occupation profitable to him, not so much in a pecuniary as in a professional point of view, as leading to closer observation and knowledge of the practice and decisions of the Courts of Equity. In 1840, in conjunction with Mr R. Nun, Assistant Barrister for the county Tyrone, he published the well-known work on "The Powers and Duties of Justices of the Peace in Ireland," which long continued a text-book of the highest authority, and passed through several editions. In 1850 Mr Walsh published a Commentary on the Statutes 12 and 13 Victoria, chapters 69, 70, and 16, relating to the duties of Justices of the Peace in Ireland; but his business had increased so rapidly within a few years, that he never had sufficient time at his command to bring out a complete work, embracing the successive changes of the law, which had taken place since the last edition of his original work was published in 1844. Like his father, Mr Walsh was devoted to literature. In 1847 he published a volume entitled "Ireland Sixty Years Ago," which attracted much attention

at the time, and passed through several editions. He was also a frequent contributor to the "Dublin University Magazine," and other periodicals. His literary endeavours were almost invariably suggested by Irish topics. As his practice at the bar increased, his old love for literary labour did not abate, but he had little time for its indulgence. When, however, the comparatively light labours of the bench gave him more leisure, he was enabled again to gratify, to some extent, his literary tastes.

The meeting of "The Association for the Promotion of Social Science" in Belfast in the year 1867 afforded him an early opportunity of giving to the community at large the benefit of his high attainments. He was asked to become President in the department of "The Repression of Crime." He had for many years been Crown Prosecutor for the city and county of Dublin, an office to which he had been appointed in 1858. In the discharge of the duties of this office he gained an experience, such as few had opportunity for acquiring, in the working of the criminal laws of the country. His address as President to the Association in this department had all the weight which his past experience and his perfect knowledge of the law was calculated to give it. It was looked on as one of the most successful of the session; and both the congress and the press received it with the most marked approval. It dealt in a masterly manner with a subject of great difficulty and of the highest public importance, and made valuable suggestions for the improvement of the law, some of which have since been made the subject of legislation, and others, it is probable, will in course of time be in like manner adopted. The address included the consideration of deterrent punishment, reformatory treatment, transportation, prison discipline, female convicts, juvenile reformatories, retributive punishment, prevention of crime, pecuniary fines, crimes of violence, prison labour, police organisation. It breathed the desire which always animated its author in the discharge of his public duties—to be merciful and yet just, to aim at making the criminal population reformed and useful citizens, and that with the greatest amount of leniency consistent with the public good. The address concluded in the expression of a hope which is the common hope of all who have the interests of their fellow-men at heart:—"It is, perhaps, not to be hoped for, among imperfect beings as we are, that society will ever exist in that exalted state which philanthropic enthusiasts have delighted to paint, when crime shall be no more, but it is not a wholly visionary hope that we may approach it more and more nearly. Let us trust, under the blessing of God, that the topics we have been considering will yearly become less important, and that the time will yet arrive when the least engrossing branch of our studies will be that which deals with punishment and reformation, and the least extensive field of our labours 'the repression of crime.'"

Shortly before his death he was engaged in preparing for the press "The Life and Times of Lord-Chancellor Clare," but he had not done much more than collect materials for a work which he believed was urgently called for in justice to the character of a distinguished Irishman not afterwards heretofore justly estimated. In January 1857 he was promoted to the rank of one of her Majesty's Counsel, Mr Lawson



(Justice Lawson) at the same time receiving the like distinction; and he became almost immediately a leader in the Equity Courts, taking as well a foremost position in the Courts of Law, Probate, and Landed Estates. He then had as his competitors, Brewster, Whiteside, Ball, Lawson, Armstrong, Macdonagh, Chatterton, and other eminent men, and yet, for the eight or nine years previous to his elevation to the bench, there were few cases of any importance in which he did not appear as counsel. In 1866, on the accession of Lord Derby's Ministry to power, Mr Whiteside became Lord Chief-Justice of the Queen's Bench, and Mr Walsh, admittedly the foremost member of the Conservative party at the Irish bar, was appointed Attorney-General, and was selected, without opposition, to fill the vacancy in the representation of the University of Dublin created by Mr Whiteside's promotion. Upon the first rumour of the vacancy, Sir Edward Grogan, Mr Chatterton, afterwards Vice-Chancellor, and Mr Warren, afterwards Judge of the Probate Court, thought of addressing the electors; but they soon gave place to one whose distinguished University career and whose professional reputation, it was plain, had given the electors of the University complete confidence in him. Mr Walsh became Attorney-General at a sad period in the history of Ireland. The Fenian organisation had but a short time before assumed alarming proportions. Towards the close of Lord Kimberley's Vice-Royalty, the jails were filled with Fenian prisoners. It became the new Attorney-General's difficult and responsible duty to decide in a great measure what was to be done with these misguided men. Whether the event will prove that he was right or wrong, Mr Walsh leaned to the side of mercy. He believed most of these prisoners were the ignorant victims of designing men, who had appealed to their worst passions for selfish purposes, and then abandoned them to their fate. He gave his voice in favour of liberating all that could with safety to the country be set free. In his maiden speech in the House of Commons,—a speech in support of a Bill for continued temporary suspension of the "Habeas Corpus Act," and which was regarded as one that promised well for his future success in Parliamentary debates,—he gave expression to the deep regret with which he discharged this duty of curtailing the liberty of the subject. He spoke in favour of leniency to his misguided countrymen. This was the only opportunity he had of addressing the House; before the close of 1866, the new Attorney-General concluded his short official and Parliamentary career. The Master of the Rolls, the Right Hon. T. B. C. Smith, at the early age of 49, died in the winter of that year. Mr Walsh was appointed to fill this office, the third highest in rank which he could hold. During his short career as a member of the Irish Government, the Marquis of Abercorn and his colleagues placed the most implicit confidence in the opinion of their chief law-officer, and the estimation he was held in by them and his political chief thus found expression in the letter in which Lord Derby congratulated him upon his appointment to be Master of the Rolls—"While I congratulate you, I cannot but regret the loss to the Government of services which we anticipated would be found of such great value."

He only sat for three years on the bench; but during that time, short as it was, he won golden opinions from all, of whatever creed or



party, that came in contact with him. He united with singular felicity the judicial qualities of learning, diligence, justice, and affability; without prejudice, without passion, he heard every one, from the highest within the bar to the humblest outside it. Of his many decisions during that period, only three were reversed on appeal, and one of these he himself said he had much doubt about when giving it. One case of unusual difficulty came before him, the "cause célèbre" of "*Mac-Cormac v. Queen's University*." It was a case in which there were no precedents to rely on, and consequently required much historical and literary research in its determination. It afforded a good specimen of the manner in which he dealt with difficult and intricate legal questions. His judgment upon it was marked by such research and learning, by such a masterly exposition of the law, that to assail its soundness was considered hopeless, though there existed every possible inducement to do so.

When Mr Gladstone, in the early part of the year 1869, brought in his Irish Church Bill, it became evident that it would pass into law, and that its immediate effect would be to disorganise the Irish Church completely, by the necessary violence of the transition from being established to becoming a voluntary community. It was a crisis which called for much prudence and promptitude on the part of the members of the Church. In order to make due preparation for the future, provisional committees and conventions were elected; on all of these his fellow-Churchmen appointed the Master of the Rolls. He had in times past been ever a willing and effective advocate on the platform for her religious societies, and he now took a prominent part in her cause during the difficult work of reconstruction. Of his valuable services to the Irish Church at this most critical period, the Rev. George Salmon, D.D., Regius Professor of Divinity in the University of Dublin, thus spoke:—"Perhaps there are no persons who will feel his loss more strongly than the members of our Church in the crisis that has come upon us. It has been my lot during the past year to have worked with him a good deal, and I don't know whether there was any one with whom it was more pleasant to work; there was so little self-assertion, so little obtrusiveness of himself, so little obstinate adherence to any views because they were his own, and at the same time placing his faculties at our disposal, that even as a hewer of wood and drawer of water he might advance the cause which we all had at heart. In the reorganisation of our Church we shall sadly miss him, for his legal knowledge, for his sound wisdom, for his moderation, and for his conciliating manners." He had gone abroad during the autumn of 1869, in excellent health, with his family, and after a tour through Italy, he was hurrying home to be in time to take part in a convention relating to the organisation of the Irish Church. At Paris he was seized with malignant inflammation, of which he died in little more than a week, at the early age of 52. His family, who were present at his sad and untimely death, brought his remains home to Dublin, and laid them in Mount Jerome Cemetery, amidst the regret of men of all creeds and politics, who thronged to his funeral to pay him their last melancholy tribute of respect. "His death was deeply deplored by a large circle of friends and former colleagues. No man was more respected in

private life, or looked upon with more confidence by those who intrusted their interest to his powerful advocacy."\*

Short as was the period during which he presided over his Court, it was long enough to prove him a most excellent judge. By indefatigable industry, by kindness and urbanity to all who were in communication with him, by patience and discrimination in investigating the rights of the parties before him, and by firmness and perspicuity in delivering his judgments, he gave universal satisfaction, and established for himself the highest character as a courteous and right-minded just judge.

He married, on the 1st of October 1841, Blair Belinda, only daughter of the late Gordon M'Neill, Captain 77th Regiment, by whom he left issue five sons and one daughter.

#### THE EARL OF MAYO.

BORN FEBRUARY 1822—DIED FEBRUARY 1872.

THE Right Hon. Richard Southwell Bourke, sixth Earl of Mayo, Viscount Mayo of Monycrower, and Baron Naas of Naas, co. Kildare, in the peerage of Ireland, K.P., G.C.S.I., P.C., late Governor-General of India, Chief Secretary of State for Ireland, was born in Dublin on February 21, 1822. His father was Robert the fifth Earl. His mother was Anne Charlotte, only daughter of the Hon. John Jocelyn, third son of the first Earl of Roden. The Bourkes of the county Kildare, whom Lord Mayo represented, have been connected by the ties of family and property with that county ever since the Irish rebellion of 1641, when their ancestor, John Bourke, a son of Bourke of Monycrower, in Kilmain, in the county Mayo, and a descendant of the Bourkes of Ballinrobe, who held a captaincy of horse under Lord Ormonde, settled at Kill in the county of Kildare. His son became "of Palmerstown," near Naas, which is still the seat of the family; and his grandson, the Right Hon. John Bourke of Kill and Monycrower, was raised to the Irish peerage as a baron, and subsequently advanced to the viscounty and earldom. The third Lord Mayo became Archbishop of Tuam; his son, grandfather of the late Governor-General, was Bishop of Waterford and Lismore, and died in November 1832. The late Earl of Mayo was educated at Trinity College, Dublin, being then Mr Bourke, and took the degrees of A.B. in 1844, A.M. in 1851, and LL.D., *per diploma*, in 1852, as Lord Naas. He travelled in Russia, and published in 1846 a book of descriptive and historical notices, called "St Petersburg and Moscow; or, A Visit to the Court of the Czar." Mr Bourke held, from July 1844 to July 1846, the appointment of gentleman of the bed-chamber to Lord Heytesbury, then Lord-Lieutenant of Ireland. He bore the courtesy-title of Lord Naas from the date of his father's accession to the earldom in 1849.

During more than twenty years he occupied a seat in the House of Commons, and represented, during his parliamentary career, three

\* "Irish Times."



constituencies. Entering the House in August 1847 as M.P. for Kildare, he retained that seat nearly four years—until March 1852. He was then returned for Coleraine, for which he sat five years—until the general election in March 1857—when he was returned for Cockermouth in Cumberland, and represented that constituency down to the year 1868, when he accepted the Governor-Generalship of India. At the death of his father, on August 12, 1867, he succeeded to the earldom of Mayo; but, as an Irish peer, he still retained his seat in the House of Commons. He was throughout life an earnest and consistent Conservative. As such, he held a conspicuous position in each of the Derby administrations. The post he occupied in the first he resumed in the second, and again in the third government formed under Lord Derby's premiership. In all of them the Conservative Prime Minister appointed him the Chief Secretary of State for Ireland. Lord Naas first held that office nine months, namely, from March till December, under the cabinet of 1852. On the restoration to power of the Conservatives, he was reappointed to the same office in February 1858, holding it that time upwards of a twelvemonth, until the June of 1859. Seven years afterwards—in June 1866—he was again named to the Irish Secretaryship. On the reconstruction of the Conservative ministry, nearly two years later, when Lord Derby, through ill health, on May 25, 1868, tendered his resignation as First Lord of the Treasury, and the premiership passed into the hands of Mr Disraeli, Lord Mayo under the latter was still the Irish Secretary. During the latter part of the autumn of that year, however, when the Disraeli government was fast approaching its close, Lord Mayo's career as Secretary for Ireland was terminated by his political chief, with a view to his advancement. In the early winter of 1868, having been created a Knight of St Patrick for his Irish services, he was appointed Governor-General of India. He arrived at Calcutta on the 12th of January 1869, and immediately entered upon his duties as Viceroy.

Lord Mayo, while in Parliament, was a most popular and influential member of the House of Commons, and as Chief Secretary for Ireland he displayed considerable ability in the administration of Irish affairs. He revived Pitt's policy of concurrent endowment, which met with the approval of all wise men, but was opposed by the leaders of the prejudiced masses, and the extreme demands of the Roman bishops gave him an opportunity of withdrawing from an impracticable attempt: the field was then left clear for Mr Gladstone's policy of disestablishment. It was probably in consequence of his being thus compromised that he was deemed unfit, in the approaching conflict, to act as the Conservative Chief Secretary for Ireland, and it was determined to transfer him to a field of action where his statesmanship could move untrammelled, where there was neither Whig nor Tory, neither Roman impracticability nor the bigotry of a party cry. But although during a triple term of office he discharged its onerous and trying duties with admirable tact and efficiency, yet his nomination by Mr Disraeli to the high and important post of Governor-General of India came upon the world with some surprise, and excited no small amount of hostile criticism at the time. How ill-founded were the



fears or doubts which had been raised in the minds of some of the Liberal party on his selection for such high office, has been fully shown by the universally admitted success of his Indian administration; and it is now perfectly certain that Lord Mayo amply justified the sanguine expectations entertained of him by his friends and colleagues, and that he proved himself one of the ablest and most popular of Indian viceroys. The high tributes paid to him by the Duke of Argyll and Mr Gladstone in their respective places in parliament on the arrival of the news of his assassination, received the warmest assent from every one who had followed him through his short but brilliant career. In the House of Lords the Duke of Argyll, after referring to the circumstances of the viceroy's assassination, said:—"It is my duty on behalf of the government to express, in the first place, the deep sympathy which we feel with the family of Lord Mayo in a calamity so unlooked for and so overwhelming. As regards the friends of Lord Mayo, this House is full of his personal friends. I believe no man ever had more friends than he, and I believe no man ever deserved better to have them. For myself I regret to say that I never even had the honour of Lord Mayo's acquaintance; but we came into office at almost the same time, and I am happy to say that from that time our communications have been most friendly, and I may say most cordial. I think I may go further, and say that there has not been one very serious difference of opinion between us on any question connected with the government of India. I hope, my Lords, it will not be considered out of place, considering my official position, if, on behalf of Her Majesty's Government, I express our opinion that the conduct of Lord Mayo in his great office—the greatest, in my opinion, which can be held by a subject of the crown—amply justifies the choice made by our predecessors. Lord Mayo's Governor-Generalship did not fall in a time of great trial or great difficulty, from foreign war or domestic insurrection; but he had to labour under constant difficulties and great anxieties, which are inseparable from the government of that mighty empire. This I may say, I believe with perfect truth, that no Governor-General who ever ruled India was more energetic in the discharge of his duties and more assiduous in performing the functions of his great office; and above all, no viceroy that ever ruled India had more at heart the good of the people of that vast empire. I think it may be said further, that Lord Mayo has fallen a victim to an almost excessive discharge of his public duties. If Lord Mayo had a fault, it was that he would leave nothing to others. He desired to see everything for himself. On his way to Burmah, he thought it his duty to visit the Andaman Islands to see the convicts, and in what manner the rules and discipline of a convict prison were carried out there. It was in the discharge of this duty he met his death. I believe his death will be a calamity to India, and that it will be sincerely mourned not only in England and in his native country Ireland, but by the well-affected millions of Her Majesty's subjects in India."

In like manner, in the House of Commons, Mr Gladstone thus concluded his observations on the same subject:—"But I cannot communicate to the House this most painful, most grievous information without stating on my own part, and on the part of the government, the grief

we feel at receiving it, and our sense of the heavy loss it announces to the Crown. Lord Mayo has passed a career in India worthy of the distinguished services of his predecessors. He has been outdone by none of them in his zeal, intelligence, and untiring devotion to the public service. So far as it is in our power to render testimony to his high qualities, so far as our approval can in any degree give him credit, I am bound to say that the whole of his policy and conduct has won for him the unreserved and uniform confidence of the Government." Similar tributes were paid to him by the Duke of Richmond in the Lords and by Mr Disraeli in the Commons.

The Government of India, about the same time, in a notification announcing the Viceroy's assassination, alludes to the public and personal merits of Lord Mayo in terms not less complimentary:—"The country has lost a statesman who discharged the highest duties that the Queen can entrust to any of her subjects with entire self-devotion, and with abilities equal to the task. Those who were honoured by the Earl of Mayo's friendship, and especially those whose pride it was to be associated with him in public affairs, have sustained a loss of which they cannot trust themselves to speak. The Government of India therefore abstains at present from saying anything of this great calamity."

Such were the expressions of feeling which emanated on this sad and impressive occasion from high official sources, and from independent members of both Houses of Parliament; and it is evident that they were not mere conventional words of eulogy and regret, or mere formal recognitions of meritorious public services. They were, in truth, a faithful echo of the feeling which pervaded all classes of the community, both in this country and in India. The calamity which befel Lord Mayo, independently of every feeling of personal regret, was deplored as a calamity to the State, and especially to the great province over which he ruled so well. Although a period of scarcely three years had elapsed from the time he entered on the duties of his office until he was struck down by the hand of a sanguinary fanatic, his viceroyalty was marked by the most extraordinary activity. No one ever in a similar space of time had seen so much of India, or so thoroughly made himself master of the condition of that vast empire. From the very outset he was determined to see and judge for himself; and this independence of thought and judgment soon produced the most beneficial results in every department of the Government. The development of agriculture and commerce, the removal of radical defects and abuses in the system of public works, the diffusion of education on sound principles, large schemes of internal communication by a railway and telegraphic system specially fitted for the country, were some of the measures of improvement and reform which he either initiated, advanced, or perfected. His dealings with the natives, high and low, were unexceptionable. He received the princes with becoming state, and with a dignified courtesy which made a deep impression on the Asiatic mind, and excited sentiments of personal attachment and regard. He held some of the most brilliant durbars that had ever been witnessed in India, and on these occasions of ceremony his bearing was dignified and imposing, and worthy of the

representative of royalty. The great durbar held at Umballah on the 27th March 1869 was one of the first events of importance in Lord Mayo's viceroyalty. The object of that conference was to form an alliance with Shere Ali, the Ameer of Afghanistan, and so present a barrier in that quarter against Russian encroachment on British India. The progress and attitude of Russia in Central Asia had long engaged the attention of Indian statesmen. Many ridiculed what were deemed the visionary traditions bequeathed by Peter the Great, and regarded a scheme of conquest so colossal as to embrace British India and China in the Russian Empire as chimerical and absurd. There could be no doubt, however, that the question of Russian aggression had caused serious alarm; and the practicability of converting Eastern Afghanistan into a barrier for the defence of British India had been seriously considered by several previous Viceroys. Lord Minto first entertained the project, but took no active steps towards its accomplishment. But in Lord Auckland's time Russian intrigues assumed such a threatening aspect that it was deemed advisable to secure an alliance with Afghanistan by armed intervention. Accordingly, in 1839 a large British force was sent into that country; Dost Mahmood, the father of Shere Ali, was driven out, and his brother Shoojah was placed on the throne. The disastrous results of this interference are well-known matters of history, and form one of the darkest pages in the annals of British India.\* Lord Auckland was censured for taking up the cause of the *wrong* man, and his policy was condemned as the result of "blinded and pernicious activity." Lord Lawrence in his turn, when Shere Ali appealed to him for aid, was censured for not espousing the cause of the *right* man, and his policy was stigmatised as the result of "masterly inactivity."

Lord Lawrence, it is said, refused to aid Shere Ali until he had given further proof of his cause being successful. It was, perhaps, only natural that Lord Lawrence should be somewhat cautious, having before his eyes the disasters of Lord Auckland's time, and the recent history of Afghanistan, which was one continued struggle for the sovereign power,—might, not right, constituting the best title to the

\* Of the early history of Afghanistan very little is known. In 1713 Nadir Shah conquered the country. Ten years afterwards, he was murdered by the Persians, and was succeeded by Ahmid Shah, the founder of the Dooranee dynasty, who was crowned at Kandahar in 1747. His reign, which continued for twenty-six years, was occupied with continual wars, external and internal. On his death he was succeeded by his son, Timūr Shah; who was again succeeded by Zeman Shah, a younger son of the deceased prince. The latter was in turn displaced by his elder brother, Mahmood, by whom he was imprisoned and deprived of sight. Mahmood was subsequently dethroned by another brother, Shoojah Ool Moolk, who imprisoned him. In the course of the intrigues and convulsions which succeeded, Mahmood obtained his freedom, reappeared in arms, and recovered the throne—Shoojah having fled and found a retreat in the British territory. In the year 1837 the British Government, thinking it advisable to establish a friendly alliance with the ruling princes in Afghanistan, restored Shoojah to the throne by means of a large armed force. In April 1842 the British were driven from the country under circumstances of the most atrocious barbarity and treachery, which, however, were amply revenged in the same year by another British army under General Pollock, who, advancing through the Khyber Pass, recaptured Cabul, and re-established British supremacy in the country. —*Elphinstone's Cabul.*



throne. Lord Lawrence, however, did ultimately grant a subsidy to Shere Ali. Such was the position of affairs with respect to Afghanistan when Lord Mayo became Governor-General. Having arrived at the seat of his Government at Calcutta on the 12th of January 1869, the new Viceroy at once addressed himself to what he rightly deemed the most urgent question of Indian politics. Viewed by the light of recent events in Khiva, the prompt and decisive steps taken by him to secure the friendship of the Ameer clearly shew what a correct view he took of the posture of affairs in 1869, and are creditable to his wisdom and sagacity as a statesman. In an incredibly short space of time his determined energy triumphed over difficulties which seemed well-nigh insurmountable. A conference with Shere Ali was arranged for the 27th March at Umballah. To the very last some of the "wise men of the East" were incredulous. It seemed to them all but impossible that Shere Ali, after all the treachery and vicissitudes he had experienced in his eventful life—after all the terrible disasters sustained by Englishmen in his country—could be induced to put faith in the simple assurances of a British Viceroy, and travel some 500 miles away from his own country to confer with a foreign potentate on foreign soil. It was therefore no matter for surprise that the proposed Durbar at Umballah should be watched by the Indian public with feelings of more than ordinary interest, and that its successful issue should have been hailed with intense satisfaction by all who could appreciate its historical importance. The memorable meeting between Lord Mayo and the Ameer took place on the 27th of March 1869. It was, indeed, a strange and significant fact to see the son and successor of Dost Mahmood received by one of Lord Auckland's successors as the lawful sovereign of Afghanistan and the equal and warm ally of a British Governor-General. Before the conference ended, its good fruits were already apparent; while yet at Umballah, the Ameer received intelligence that the Ameer of Badakshan and all the Sirdars of Turkistan had given in their allegiance to him, and that the son of his brother and rival, Azim Khan, had fled across the Oxus. The Ameer having expressed his warm thanks to Lord Mayo, left the British territory, greatly elated at this news, which he attributed, and no doubt rightly attributed, to the Umballah conference. All the heads of the Khyber tribes accompanied the Ameer from Jamrood. Thus ended the memorable Durbar of Umballah: and if any doubts had existed in the public mind as to the state of Russian feeling with respect to British dominion in India, such doubts would have been immediately dispelled. No sooner had the news of the alliance with the ruler of Cabul reached Europe, than the leading journals of Russia launched forth into the most bitter invectives against England. Affecting to ridicule the proceedings at Umballah as a piece of solemn jugglery and empty pageantry, they affirmed that Shere Ali, after accepting presents and a subsidy from the English Viceroy, would the next day have willingly accepted Russian friendship and Russian gold. In a country where the utterances of the press are made subject to state control and direction, the unmistakable language used on this occasion was sufficiently alarming, and clearly proved that Lord Mayo was not mistaken in his views

of Russian designs in Central Asia, or of the expediency of establishing sound and healthy relations with Affghanistan.

Though short the duration of his viceroyalty, such was the indefatigable activity of Lord Mayo, that it would be hopeless here to attempt to follow him in his various progresses through the vast empire under his care, or to give an account of the many occasions in which he displayed the grandeur and power of the British nation. Brilliant receptions and splendid pageants may be deemed ridiculous by sober-minded people at home, but any one acquainted with oriental ideas well knows that there is nothing so eminently calculated to fascinate and attract the princes and peoples of the East. Of this no one was more sensible than Lord Mayo, and it is certain that he effectually employed such means with others to make a favourable impression on the native chiefs and princes, and bind them in fast friendship and allegiance to the English throne.

It was during Lord Mayo's viceroyalty that H.R.H. the Duke of Edinburgh paid his visit to various parts of Hindoostan, the sojourn of the Prince there extending from the December of 1869 to the April of 1870. In January 1872, the King of Siam was received by Lord Mayo at Calcutta and entertained with great splendour. The festivities at Government House on both those occasions were on a scale of the greatest magnificence. Lord Mayo's ordinary hospitalities during his stay at Calcutta were all in true viceregal style and most liberally dispensed. Socially his popularity was very great, and it was said of him that he had restored the old *régime* which prevailed in Lord Dalhousie's days.

After visiting the north-west provinces in the January of 1872, the Governor-General returned to Calcutta on the 14th of that month to receive the King of Siam. Immediately after he embarked in H.M.S. Glasgow for Burmah, and after visiting Rangoon, where he received a most cordial reception, his Excellency and party left Moolmein on the 5th of February, in order to gain a few hours' inspection of the convict settlement at Port Blair. On the 8th of February the Glasgow anchored off Ross Island, the head-quarters of General Stewart the superintendent of the settlement. The Andaman Islands, which lie on the eastern side of the Bay of Bengal, opposite the coast of Tenasserim, are surrounded with coral cliffs, and covered to the water's edge with dense and luxuriant vegetation, and enclose some of the grandest and most picturesque harbours in the world. After making an inspection of the establishments in Ross, Viper, and Chatham Islands, the Viceroy and party proceeded to Hope Town, in order to visit Mount Harriet, which had been spoken of as an excellent site for a sanitarium for Bengal. After visiting Mount Harriet, and as the party were approaching the landing-place, it began to grow very dark. The convict authorities had sent up a few torches to light them on their way, but the Viceroy ordered the torch-bearers to keep well to the front, as he disliked the smell and smoke. When within about fifty yards from where the boat lay at the end of the pier, a rushing noise was heard, and a man was seen fastened like a tiger on the Viceroy's back. The whole occurrence was momentary, and took place in almost total darkness, some of the torches having

gone out during the confusion. According to the account given by an officer of the Glasgow, there were two men engaged in the attack. "Two men," he writes, "natives and convicts, glided through the guard, reached Lord Mayo, he fell, stabbed in the back in two places, and rolled down the bank into the water mortally wounded. Every one—too late—rushed to his assistance. He was carried up the bank, and the blue jackets of the launch conveyed him down to the boat. In the meantime the guard had taken one of the convicts, red-handed, with his knife in his hand, the other having escaped. The murderer and his noble victim were taken on board in the same boat. Immediately when they got Lord Mayo into the boat they cut his coat and waistcoat off and bound up his wounds, but the blood flowed fast, and internal hæmorrhage hastened the end. He expired just before the boat came alongside, the only words he uttered after he was struck, when they were lifting him out of the water, were, "I don't think I'm much hurt," and just before the end, "lift up my head." . . . Immediately when they were alongside, Major Burne, the Viceroy's private secretary, rushed up to break the news to Lady Mayo before she should hear it at other hands. "Poor thing," he says, "she bore up very bravely, though how should she realise it yet? The murderer was brought up immediately after the corpse, strongly guarded. . . . Anything more awful than the deep quiet that reigned throughout the ship I have never experienced, although over six hundred souls were on board. There was not a sound that the ear could catch. Every one's voice sank to the lowest whisper, and they hardly seemed to draw breath, so oppressive was the death-like calm that existed everywhere."

Next day the Glasgow proceeded to Calcutta, and the Viceroy's remains were conveyed in state to Government House amidst a public demonstration of grief and indignation as general and profound as had ever been expressed, at any of the most terrible calamities through which the country had ever passed. The remains were soon afterwards brought over to Dublin, where they were received in state by his Excellency the Lord Lieutenant, and conducted through the city amid a most impressive military display and public mourning. From Dublin they were conveyed to Naas, followed by the relatives and the tenantry of the deceased Earl, and finally deposited in the family burial-ground at Palmerstown.

Such was the sad and untimely end of this great man of whom Ireland may be justly proud. An able statesman, an admirable administrator, a most estimable and kind-hearted man, Lord Mayo left behind him, in the words of the Duke of Richmond, "a name second to none of the illustrious men who filled before him the high office of Governor-General of India."

In further testimony of the feeling of the country, and in recognition of Lord Mayo's services, the House of Commons voted a pension to Lady Mayo. A memorial fund, called "The Mayo Memorial Fund," has also been raised—large contributions coming from native Indian princes.

The late Earl married, in October 1848, the Hon. Blanche Julia Wyndham, fourth daughter of Lord Lenconfield, by whom he left a



family of two daughters and four sons, all under age at the time of his death. He was succeeded in his title and estate by his eldest son, Dermot Robert Wyndham, Lord Naas, of the 10th Hussars, who was born in July 1851.

As showing the chances on which the fame of really great men may often depend, the following extract from a leading English Journal, which had been loud in its condemnation of Lord Mayo's appointment to the Governor-Generalship of India, may not prove uninteresting.—“Our loss is great, and England now learns a lesson often taught and often forgotten, that good and great men are never known or never thoroughly appreciated till they are gone. The truth is, they come in homely guise, toiling and moiling in the great dusty workshop of measures, policies, and laws, stooping like mechanics to the drudgery of details, figures, and phrases. Wellington at his desk was even a greater man than in the battle-field, for the work was harder and more ungenial, and simply nothing in the scale of glory. Lord Mayo, till the other day, was one of the crowd. We overlook, while we are searching for the man, a head and shoulders taller than the common rank. Had he then died, he would hardly have left a name, except in the memory of friends, or in some official records. Had he died a week ago in the midst of receptions, shows, and progresses, he would have adorned the annals of India, of Ireland, and of a noble house. Providence designed for him something more and better. Whether by holy or common reckoning he dies a martyr to the highest calls of his country and his faith, and in that way, the highest benefactor of the races under that vast and varied rule.”

With respect to the motive for the murder of Lord Mayo, there seems now to be no doubt, that it was not connected with any political organisation. Following so close after the murder of Chief-Justice Norman, there was at first some ground for supposing that the motive was political. The better opinion now seems to be, that it was the isolated personal act of a Mussulman fanatic. The assassin, Shere Ali, was a Wahabee, or one of the followers of the prophet Wahaba. The Wahabees were the fanatics of Mohammedanism just as the Kookas were the fanatics of Brahmanism. Their grievance was that India was not governed according to the precepts of the Koran, and that unbelievers were allowed to take the place of the faithful. The object of the Kookas was to restore intolerance in the Punjab; that of the Wahabees the revival of similar principles in the government of the empire. The Wahabees considered the murder of a Christian—in their eyes an idolater and a blasphemer—the best service they could render to the Deity of their own worship. It would appear, then, in the absence of evidence to the contrary, that the murder of Lord Mayo was the act of a fanatic exasperated at the notion of religious equality, and urged on by the spirit of fanaticism to some deed of fancied retaliation or of religious merit.

The following brief but appreciative sketch of the career and character of Lord Mayo is from the pen of a resident of Calcutta, and is valuable as showing the opinion entertained by those who had the opportunity of close observation, and knew the true state of public feeling in India :—

"Lord Mayo came to India three years ago. He worked harder than a solicitor's clerk; old Indians stood astounded at the work he got through. He saw more of India in three years than almost any other man saw in twenty, and he carried sunshine and inspired loyalty wherever he went. No matter who or what the native chief was—what in race or faith—he had a father and friend in the Viceroy so long as he was doing right. You will recall some of those noble speeches of his, and I can assure you they were his own sentiments and words—sentiments and words which made many a native heart beat as it never had beaten before. He found India with a deficit in finance; he left a surplus. He found her without a foreign policy; he left one so clear and intelligible that if it is adhered to with statesman-like intelligence, and made to rest on the same internal policy, we may defy the world in arms so far as India is concerned. It will be remembered, too, that he did not come here to find statesmen. If a Governor-General determines on statesmanship as his guide in India he must bring it, unless in time of danger, when men of capacity will always rise to the surface of affairs. Lord Mayo certainly brought that statesmanship for his foreign policy, and he has left us with friendly relations which extend beyond the frontier on every side. His weak point, or the weak point of the Foreign Office, was that of imperfect information of facts beyond the frontier. Some of the published reports are wretched, both as to matter and style, and there is no doubt that Russia knows a thousand things that we do not and cannot know. No Viceroy can do everything; and Lord Mayo did so much that we should be unreasonable to expect more, or to mention a defect, save as a hint for the future. The financial decentralization policy was conceived and carried out on the same principle, and was equally great, in spite of a department which has run its official head against every stone wall it could find.

"That there were some faults of administration need not be denied; but there was no jobbery, no extravagance, no self-seeking. Lord Mayo served his sovereign and country with entire devotion, and in doing so stood high above all Indian cliques. His speeches were of the simplest, his ideas always leaned to the practical, and when he had given his word he had given his bond. You never will send us a Viceroy who will retire more endeared to the country than Lord Mayo. You never will send us a harder worker, or a juster, or kinder, or more single-hearted man. You may send us a sterner man, and, perhaps, we need one of that class. The late Viceroy was not stern as a rule. He hated revolutionary work. He 'cleansed the Augean stable,' little by little, now putting down a gutter, now a drain, now disinfecting, but always working like a man who counted the hours in advance and resolved to make the most he could of the present ones. We never knew him as a Whig or Tory. He was the representative of the Queen, and magnificently he represented her. He had no creed, hatred, or prejudice, no cant, and immense charity and forbearance towards every native custom not immoral. I never saw anything more marked than the mixture of dignity and humility with which he represented her Majesty. A stranger dropped from the clouds into the Durbar at which the king of Siam was received would have said of

the Viceroy—"He cannot be a king, and yet neither can he be a subject to-day." I know no other way of expressing the fact that seemed to impress every one. That, at all events, is Lord Mayo as we viewed him here, and as his memory will remain for many long years to come."

THOMAS FRANCIS MEAGHER.

BORN AUGUST 1823—DIED JUNE 1867.

THOMAS FRANCIS MEAGHER, Brigadier-General in the American Federal Army, was born in the city of Waterford on the 3rd of August 1823. His father, Thomas Meagher, was a wealthy retired merchant of Waterford, which city he represented for some time in the British Parliament. In the year 1834, at the early age of eleven years, he was placed under the care of the Jesuits at Clongowes Wood College, in the county Kildare. Here he gave early evidence in his school-ations of those rare and brilliant oratorical powers for which he shortly afterwards became so distinguished. After completing the usual six years' course at Clongowes, he went to Stonyhurst College, Lancashire, to finish his education. At both seminaries he was a general favourite. His assiduous attention to his studies won for him the good opinion of his tutors, while his frank and happy nature endeared him to all his associates. In English composition and rhetoric he excelled all competitors, and carried off the medals in those subjects from his numerous school-fellows, both at Clongowes and Stonyhurst. In the year 1843 he left college, and, after a few months' tour on the continent, returned to his home in Ireland. At that time the Repeal agitation was at its height, and before the close of the year 1843 Meagher entered upon the busy scenes of political strife. He attended the great meetings held at Lismore, Kilkenny, Killarney, and other places, and soon attracted considerable attention by the power and eloquence of his appeals in the national cause.

In 1844 he removed to Dublin with the intention of studying for the bar; but the political platform afforded a readier and more congenial field for his youthful ambition, and left him little time for the prosecution of his legal studies. It was towards the middle of the same year that the Irish State trials terminated in the conviction of O'Connell, who was sentenced to pay a fine of £2000 and to be imprisoned for a year. This judgment was afterwards reversed in the House of Lords; but the prosecution had to some extent answered its purpose, O'Connell's credit as a politician was impaired, and on the return of the Whigs to power in 1846, his policy not satisfying a large number of his followers, a secession took place, which resulted in the formation by the "Young Ireland" party of the "Irish Confederation," at the beginning of the year 1847. Of this new organisation, Meagher was one of the leading spirits; and his genius, enthusiasm, and eloquence, contributed more, perhaps, than any other agency, to give the semblance of vitality to a movement which shortly after so suddenly and miserably collapsed. Of the attempt at revolution in



1848, the most that can be said on behalf of Meagher and his associates is, that it was precipitated and forced into a premature explosion by the violent policy and subsequent banishment of Mitchel, by the ferment created by the French revolution of 1848, and the passing of the Treason-felony and Habeas Corpus Suspension Acts. The effect of these measures was to compel the leaders to retire to the country, and commit themselves to open rebellion. Large rewards were offered for their apprehension, and the chief men, O'Brien and Meagher, were captured, tried, found guilty, and sentenced to death. By special act of royal clemency, however, this sentence was commuted to banishment for life to the convict settlement at Van Dieman's Land. As we have referred to Mr Meagher's eloquence, we may quote as a favourable specimen of it his dock address :—"My Lords, it is my intention to say only a few words. I desire that the last act of a proceeding which has occupied so much of the public time shall be of short duration. Nor have I the indelicate wish to close the dreary ceremony of a state prosecution with a vain display of words. Did I fear that hereafter, when I shall be no more, the country which I have tried to serve would think ill of me, I might indeed avail myself of this solemn moment to vindicate my sentiments and my conduct. But I have no such fear. The country will judge of those sentiments and that conduct in a light far different from that in which the jury by which I have been convicted have viewed them ; and by the country, the sentence which you, my Lords, are about to pronounce, will be remembered only as the severe and solemn attestation of my rectitude and truth.

"Whatever be the language in which that sentence be spoken, I know my fate will meet with sympathy, and that my memory will be honoured. In speaking thus, accuse me not, my Lords, of an indecorous presumption. To the efforts I have made, in a just and noble cause, I ascribe no vain importance, nor do I claim for those efforts any high reward. But it so happens, and it will ever happen, that they who have tried to serve their country, no matter how weak the efforts may have been, are sure to receive the thanks and blessings of its people.

"With my country, then, I leave my memory—my sentiments—my acts—proudly feeling that they require no vindication from me this day. A jury of my countrymen, it is true, have found me guilty of the crime of which I stood indicted. For this I feel not the slightest resentment towards them. Influenced as they must have been by the charge of Chief-Justice Blackburne, they could have found no other verdict. What of that charge? Any strong observations on it, I feel sincerely, would ill befit the solemnity of the scene; but earnestly beseech of you, my Lord, you who preside on that bench, when the passion and prejudices of the hour have passed away, to appeal to your conscience, and ask of it, Was your charge, as it ought to have been, impartial and indifferent between the subject and the crown?

"My Lords, you may deem this language unbecoming in me, and perhaps it might seal my fate. But I am here to speak the truth whatever it may cost. I am here to regret nothing I have done, to retract nothing I have ever said. I am here to crave with no lying lips the life I consecrate to the liberty of my country. For from it, even here,—here, where the thief, the libertine, the murderer, have left

their footprints in the dust,—here, on this spot, where the shadows of death surround me, and from which I see my early grave, in an unanointed soil, open to receive me,—even here, encircled by these terrors, the hope which has beckoned me to the perilous sea upon which I have been wrecked still consoles, animates, and enraptures me. No, I do not despair of my old country, her peace, her glory, her liberty! For that country I can do no more than bid her hope. To lift this island up, to make her a benefactor to humanity, instead of being the meanest beggar in the world—to restore her to her native power and her ancient constitution—this has been my ambition, and my ambition has been my crime. Judged by the law of England, I know this crime entails the penalty of death; but the history of Ireland explains this crime and justifies it. Judged by that history I am no criminal—you (addressing Mr M'Manus) are no criminal—you (addressing Mr O'Donoghue) are no criminal. Judged by that history, the treason of which I stand convicted loses all its guilt, is sanctified as a duty, will be ennobled as a sacrifice!

"With these sentiments, my Lords, I await the sentence of the Court. Having done what I felt to be my duty, having spoken what I felt to be truth, as I have done on every other occasion of my short career, I now bid farewell to the country of my birth, my passion, and my death. Pronounce, then, my Lords, the sentence which the law directs. I trust I shall be prepared to meet its execution; I hope to be able, with a pure heart and perfect composure, to appear before a higher tribunal,—a tribunal where a JUDGE of infinite goodness as well as of justice will preside, and where, my Lords, many, many of the judgments of this world will be reversed."

In the spring of 1852, after nearly four years of exile, Meagher effected his escape, and landed in New York in the latter part of May. On reaching the city he was received with the utmost enthusiasm by his fellow-countrymen and the citizens in general. For two years after his arrival in America, Meagher followed the profession of a public lecturer, meeting with marked success. His first subject was "Australia," and was a brilliant effort of elocution. Returning to New York, in 1855, he engaged in the study of the law under Mr Emmett, afterwards judge, and was subsequently admitted to the New York bar. In 1856 he became the editor of the *Irish News* in New York, and in 1857 he undertook an exploring expedition to Central America. In 1861, when the war in the South broke out, Meagher, abandoning his profession, joined the army of the North. Organising a company of Zouaves, he joined the 69th New York Volunteers, under Colonel Corcoran. At the battle of Bull's Run, July 21, 1861, he was acting-major of his regiment, and had his horse shot under him. On the expiration of his three months' service, he returned to New York, and in the latter part of 1861 organised the celebrated Irish Brigade. He was elected colonel of the 1st Regiment, and as senior officer, assumed the command of the brigade, and took it to Washington. Here it was accepted by the Government, and Colonel Meagher was assigned to it as permanent commander, with the rank of brigadier-general. On arriving at the camp of General M'Clellan's army, the Irish Brigade was attached to Richardson's

division of Sumner's corps, and participated in the advance of the Union forces upon the Confederate position during the month of March 1862. "The conduct of General Meagher," writes the *New York Herald*, "and his gallant men, in those days of gloom and disaster, form a bright and conspicuous page in the annals of the late war. At the head of his men he participated in the seven days' battles around Richmond, winning general praise for the heroism and skill with which he led the brigade to action. At the second battle of Manassas, Maryland, the brigade, then attached to Pope's army, fought with great desperation; and at Antietam, September 17, 1862, won a greater reputation for itself and its general, by the valour and order of its men, and was most flatteringly noticed in the official report of General McClellan. In this battle the general's horse was shot under him, and being injured by the fall, he was compelled to leave the field. The disastrous battle of Fredericksburg, fought December 12, 1862, only added to the reputation of General Meagher and his men. Charge after charge was headed by him, up to the very crest of the enemy's breastworks, and the number of dead men with green colours in their hats told of the fearful slaughter of the brave Irishmen. In this engagement the general received a bullet wound in the leg, which temporarily incapacitated him from active service. He had, however, sufficiently recovered in April to resume command, and at Chancellorsville, from the 2d till the 4th of May 1863, he led the remnant of the Irish brigade into action for the last time. It was, indeed, the merest remnant of what had been the pride and flower of the army; and finding that its numbers were reduced to considerably below the minimum strength of a regiment, on the 8th of May General Meagher tendered his resignation, and temporarily retired from the service."\*

During the early part of 1864 Meagher was recommissioned brigadier-general of volunteers, and appointed to the command of the district of Etowah, including portions of Tennessee and Georgia. His administration of the affairs of this district was signally successful, and he was highly complimented for it by Major-General Steedman. At the close of the war he was appointed acting governor of Montana territory, and it was while engaged on business connected with his office that he fell into the Missouri from the deck of a steamer, and was drowned. His melancholy death, at the early age of forty-four years, excited the deepest sorrow amongst his own countrymen and the people of the United States. He was but a youth when he stepped upon the political platform at one of the stormiest periods in the history of his country. And much as many of his countrymen differed from him in politics, and questioned his prudence, no one doubted his honesty or the sincerity of his devotion to the cause of "Irish Independence." In his military career, too, he gave good proof that it was no simulated courage which inspired him when he called his countrymen to arms; and Meagher "of the sword," as he was derisively called in '48, was

\* The above full extract on the military career of Meagher, written at the time of his death, in July 1867, has been given in justice to his character as a general. Other leading American papers have paid a like tribute to his valour and skill as a commander. Prince de Joinville, too, has placed on record his estimate of the gallant stand made by Meagher and his Irish brigade.



among the first to draw the sword in the defence of his adopted country, and to the last he proved himself the "bravest of the brave" in all the terrible conflicts of that disastrous war.

His death took place in the night of the 1st of July 1867. He left a widow and an only child, a son.

THE HONOURABLE THOMAS D'ARCY M'GEE.\*

BORN 1825—DIED 1868.

THIS eminent man—poet, orator, historian, statesman—was born, on the 13th of April 1825, at Carlingford, in the county of Louth, Ireland. On his birthday anniversary in 1868 his remains were laid in the cemetery at Côté des Neiges, in the city of Montreal. Canada, the land of his adoption, gave him a public funeral, the greatest demonstration ever seen in Montreal. "The day was, as it were, a Sabbath; all business was suspended, and shops and other places of business closed, while the citizens turned out by tens of thousands. The surrounding country also sent forth crowds into the city. Probably not less than one hundred thousand persons, in one way or other, joined in the demonstration." It may be asked, How had this man—humbly born, and for the most part self-educated—won for himself the gratitude and love of a nation, and at a comparatively early age—for at the time of his death he had not fully attained his forty-third year—left his mark on the history of his own time?

The best answer to these questions will be a brief retrospect of his life—its aims and aspirations, with their accomplishment. Thus, too, will best be seen the qualities of mind and force of character which, without any of the advantages conferred by family, fortune, good looks, or other adventitious aids, could yet directly influence the destinies of the Dominion of Canada, and indirectly much of the course of recent legislation for Ireland. His teaching—which won for M'Gee the soubriquet of "The Peacemaker"—has sown seed which we hope and believe may yet ripen into the fruit of mutual good-will and toleration among all classes and creeds in the British empire.

He was the fifth child of Mr James M'Gee by his wife Dorcas Catherine Morgan, daughter of a bookseller of Dublin. Mr M'Gee, who was in the Coast Guard Service, removed to the town of Wexford when his son was about eight years of age. Here Mrs M'Gee died, and her family mourned the loss of a tender and loving mother. Child though he was, her elevated character left its impress on the mind of her son. She sang to him the wild songs of his native land, and inspired that love of country which was the master-passion of his life. Of his father, also, he ever spoke with reverence and affection; his heart all through life clung to his early home.

"Wishing-cap, wishing-cap, I would be  
Far away, far away o'er the sea,  
In Carman's ancient town;

\* The editor gratefully acknowledges his indebtedness to an intimate friend of Mr M'Gee for assistance rendered in writing this memoir.

For I would kneel at my mother's grave,  
Where the palmy churchyard elms wave,  
And the old war walls look down."

The subject of this memoir was only seventeen when he crossed the Atlantic to seek his fortune in the United States; and he was in Boston when the anniversary of American Independence was commemorated there, on the 4th July 1842. He addressed the multitudes, and even then displayed marked oratorical power. He was at once offered employment on the staff of the *Boston Pilot*, of which he became chief editor two years later. His leading articles and speeches attracted the notice of O'Connell, who spoke of them as "the inspired writings of a young exiled Irish boy in America." He was ere long invited to return to Ireland as editor of the *Freeman's Journal*, but soon transferred his pen to the service of the *Nation*, a paper newly started, under the auspices of Charles Gavan Duffy, Thomas Davis, John Mitchel, and other ardent young patriots.

The cautious policy advocated by O'Connell was utterly distasteful to the "Young Ireland" party, which looked up to these men as leaders. O'Connell aimed at a repeal of the legislative union between Great Britain and Ireland by the legal process of Parliamentary agitation. Moral suasion, which he preached, was too slow a method for the fiery advocates of physical force. The great leader, in apostrophising the masses of "hereditary bondsmen" for whom his persistent agitation had won, in '29, the boon of Catholic Emancipation, urged on them a peaceful struggle only; while the younger and more ardent spirits taught, on the contrary, that those "who would be free, themselves must strike the blow." The inevitable disruption was accelerated by the terrible famine in Ireland consequent on the failure of the potato crop, and the death of O'Connell in 1847.

But before we come to the unwise, disastrous, yet chivalrous rising of the leaders of "Young Ireland" in '48, we may dwell for a moment on the personal characteristics of one among those remarkable men.

Thomas Davis, a rising barrister, poet, and man of letters—pure, high-minded, disinterested—had done much by his writings to stimulate a healthy national sentiment and cordial union among Irishmen, irrespective of creed or party. He died of fever in 1845, beloved and revered by all with whom he came in personal contact, whether they were political friends or political opponents.

"A hundred such as I will never comfort Erin  
For the loss of the noble son,"

was the heart-utterance of one who had felt the electric thrill excited by his ardent mind and love of country. It was a sentiment which found a true echo in many sorrowing hearts who mourned his early death. The literary leadership of the party was from that time perhaps most truly represented by the editor and sub-editor of the *Nation*, and the able contributors whom they enlisted in the service of that newspaper.

How strange the career of these men! Sir Charles Gavan Duffy, recently knighted by the Queen for his services in Australia, head of the administration in Victoria, ex-editor of the *Nation*. Thomas

D'Arcy M'Gee, Canadian Minister of Agriculture and of Emigration, President of the Executive Council, accredited Commissioner from the land of his adoption, chief framer of the federal union which constitutes the Dominion of Canada, martyr to his loyal attachment to British connection, ex-sub-editor of the *Nation*.

The friends were parted in '48, never again to meet. Long afterwards M'Gee thus wrote in Canada :—

“ TO A FRIEND IN AUSTRALIA.

“ Old friend ! though distant far,  
Your image nightly shines upon my soul :  
I yearn toward it as toward a star  
That points through darkness to the ancient pole.

Out of my breast the longing wishes fly,  
As to some rapt Elias, Enoch, Seth ;  
Yours is another earth, another sky,  
And I—I feel that distance is like death.

Oh ! for one week amid the emerald fields,  
Where the Avoca sings the song of Moore ;  
Oh ! for the odour the brown heather yields,  
To glad the pilgrim's heart in Glenmalure !

Yet is there still what meeting could not give,  
A joy most suited of all joys to last ;  
For ever in fair memory there must live  
The bright, unclouded picture of the past.

Old friend ! the years wear on, and many cares  
And many sorrows both of us have known ;  
Time for us both a quiet couch prepares—  
A couch like Jacob's, pillow'd with a stone.

And oh ! when thus we sleep, may we behold  
The angelic ladder of the patriarch's dream ;  
And may my feet upon its rungs of gold  
Yours follow, as of old, by hill and stream ! ”

The abortive rebellion of 1848, under the leadership of William Smith O'Brien, need not here be dwelt on.\* To M'Gee had been assigned the task of stimulating the people to take up arms. He had been arrested for a speech made in the county Wicklow, had succeeded in getting a release, and had gone to Scotland to stir up the Irish there, when the rising took place and failed, and a reward was offered for his apprehension. We learn from a note appended to Mrs Sadlier's interesting biographical sketch prefixed to the volume she has edited of his poems, that M'Gee's conduct of this affair had been questioned. She quotes C. G. Duffy's justification of M'Gee and estimate of his value as a fellow-worker.

“ To forty political prisoners in Newgate, when the world seemed shut out to me for ever,” writes Duffy, “ I estimated him as I do to-day. I said, ‘ If we were about to begin our work anew, I would rather have

\* See page 44 of this volume.



his help than any man's of all our confederates. I said he could do more things like a master than the best amongst us since Thomas Davis; that he had been sent, at the last hour, on a perilous mission, and performed it not only with unflinching courage, but with a success which had no parallel in that era; and, above all, that he has been systematically blackened by the Jacobins to an extent that would have blackened a saint of God. Since he has been in America, I have watched his career, and one thing it has never wanted—a fixed devotion to Irish interests.”

When the horrors of war, and especially the horrors of civil war, are fairly considered, we have no language strong enough to express how culpable are the stimulators and the leaders of an unsuccessful revolt. Those who rebel against constituted authority are bound to consider not only the abstract justice of their cause, but also the chances of successful resistance. In Ireland especially, what has hitherto been the course of its history? Partial conquest; impotent resistance; penal enactments, provoking fresh outbursts of popular fury; cruel retribution, leaving behind a thirst for vengeance; a devastated soil, left destitute of inhabitants, barren of crops, of flocks and herds; man and nature relapsing into savagery; wide-spread confiscations, reducing to abject misery the lords of the soil and their families; the location here and there of intruding colonisers, forced from the necessities of their position to be a hostile garrison, rather than kindly citizens—till the Ireland of our own day presents well-nigh hopeless problems for the solution of the statesman, as well as the philosophic thinker. How may the hostile races be blended so as to constitute a homogeneous nation? How are the opposing Churches to be made practically Christian? How may the reproach be removed from differing creeds of “hating one another for the love of God?” A step in the solution of the problem was surely taken in the magnanimity which forgave the rebels of '48, permitted to them a colonial career, and acknowledged the disinterestedness of the men—most of them young, ardent, irrepressible, and inexperienced—whose lives, through their mistaken enthusiasm, lay forfeit and at the mercy of the Crown. That “quality of mercy” was indeed “twice blessed.” Those who, without its exercise, might have perished on the scaffold have lived to do good service to the cause of law and order in Australia, and to help to rear up in British America a powerful and intensely loyal federation of previously feeble, because disunited States, and to bind the Dominion of Canada by the strongest ties to the British Crown.

But in 1848 Thomas D'Arcy M'Gee bent all the energies of his mind and will to sever the connection between Great Britain and Ireland. He has himself recorded the motives and feelings which actuated him at that period of his career:—

“My native disposition is towards reverence for things old, and veneration for the landmarks of the past. But when I saw in Ireland the people perish of famine at the rate of five thousand souls per day; when I saw children and women, as well as able-bodied men, perishing for food under the richest government within the most powerful empire of the world, I rebelled against the pampered State Church—I rebelled against the bankrupt aristocracy—I rebelled against Lord John Russell

who sacrificed two millions of the Irish people to the interests of the corn buyers of Liverpool. At the age of twenty-two I threw myself into a struggle—a rash and ill-guided struggle I admit—against that wretched condition. I do not defend the course then taken; I only state the cause of that disaffection, which was not directed against the Government, but against the misgovernment of that day. Those evils in Ireland have been to a great extent remedied, but those only who personally saw them in their worst stages can be fair judges of the disgust and resistance they were calculated to create. I lent my feeble resistance to that system, and though I do not defend the course taken, I plead the motive and intention to have been both honest and well-meaning."

In the midst of these troublous times M'Gee married. His wife, gentle and retiring, shared his lot both in days of perplexity and of triumph, and ever retained the place in his heart which a true wife only can fill. Mrs M'Gee had borne her husband two daughters. At the time of his death, the Government of Canada voted a liberal provision for his family. The widow did not long live to enjoy her pension.

Their married life, however, had but commenced when M'Gee started on the Scottish mission of which we have already spoken. While in North Britain, he heard of the rising in Tipperary and of Smith O'Brien's utter failure. Implicated as he was, it was necessary that M'Gee should fly for his life, but he could not bring himself to cross the Atlantic without bidding his wife farewell. Through the good offices of the Roman Catholic Bishop of Derry, Dr Maguire, this was accomplished.

M'Gee returned to Ireland, and in the guise of a clerical student made his way to Londonderry and thence to Inishowen. That wild mountain district, enclosed between Lough Foyle and Lough Swilly, proved a safe asylum. There he remained in concealment in a farmhouse near Culdaff, and when the emigrant ship in which a passage had been secured for him passed along that northern coast on its route from Derry to the States, a small boat put out from Culdaff, and the young rebel was safely conveyed on board. M'Gee, so recently become a husband, bade adieu to his wife and his native land with emotions which he has described in the following verses:—

#### MEMORIES.

" I left two loves on a distant strand,  
One young, and fond, and fair, and bland;  
One fair, and old, and sadly grand—  
My wedded wife and my native land.

One tarrieth sad and seriously  
Beneath the roof that mine should be;  
One sitteth sybil-like by the sea,  
Chanting a grave song mournfully.

A little life I have not seen  
Lies by the heart that mine hath been;  
A cypress wreath darkles now, I ween,  
Upon the brow of my love in green.

The mother and wife shall pass away,  
Her hands be dust, her lips be clay;  
But my other love on earth shall stay,  
And live in the life of a better day.

Ere we were born my first love was,  
 My sires were heirs to her holy cause ;  
 And she yet shall sit in the world's applause,  
 A mother of men and blessed laws.

I hope and strive the while I sigh,  
 For I know my first-love cannot die ;  
 From the chain of woes that loom so high  
 Her reign shall reach to eternity."

Another poem utters touchingly an absent husband's yearning love. "Sebastian Cabot to his Lady" purports to be a letter from the Portuguese navigator of the fifteenth century to his wife, written by her lord at sea. But it is plainly autobiographical; and the "Mary," so tenderly apostrophised as the "perfect wife," was M'Gee's own Mary, left behind in Ireland, while her husband crossed the Atlantic sad and solitary.

SEBASTIAN CABOT TO HIS LADY.

"Dear, my lady, you will understand  
 By these presents coming to your hand,  
 Written in the Hyperborean seas  
 (Where my love for you doth never freeze),  
 Underneath a sky obscured with light,  
 Albeit call'd of mariners the night,  
 That my thoughts are not of lands unknown,  
 Or buried gold beneath the southern zone,  
 But of a treasure dearer far to me,  
 In a far isle of the sail-shadow'd sea.

I ask'd the Sun but, lately as he set,  
 If my dear lady in his course he met—  
 That she was matronly and passing tall,  
 That her young brow cover'd deep thought withal,  
 That her full eye was purer azure far  
 Than his own sky, and brighter than a star ;  
 That her kind hands were whiter than the snow  
 That melted in the tepid tide below,  
 That her light step was stately as her mind,  
 Steadfast as Faith, and soft as summer wind ;  
 Whether her cheek was pale, her eye was wet,  
 And where and when my lady dear he met ?

And the Sun spoke not; next I ask'd the Wind  
 Which lately left my native shores behind,  
 If he had seen my Love the groves among,  
 That round our home their guardian shelter flung,  
 If he had heard the voice of song arise  
 From that dear roof beneath the eastern skies,  
 If he had borne a prayer to heaven from thee  
 For a lone ship and thy lone lord at sea ?  
 And the Wind answer'd not, but fled amain,  
 As if he fear'd my questioning again.

Anon the Moon, the meek-faced minion, rose,  
 But nothing of my love could she disclose,—  
 Then my soul, moved by its strong will, trod back  
 The shimmering vestige of our vessel's track,  
 And I beheld you, darling, by our hearth,  
 Gone was your girlish bloom and maiden mirth,  
 And Care's too early print was on the brow,  
 Where I have seen the sunshine shamed ere now ;  
 And as unto your widow'd bed you pass'd,  
 I saw no more—tears blinded me at last.



But mourn not, Mary, let no dismal dream  
 Darken the current of Hope's flowing stream ;  
 Trust Him who sets his stars on high to guide  
 Us sinful sailors through the pathless tide ;  
 The God who feeds the myriads of the deep,  
 And spreads the oozy couches where they sleep ,  
 The God who gave even me a perfect wife,  
 The star, the lamp, the compass of my life,  
 Who will replace me on a tranquil shore,  
 To live with Love and you for evermore.

The watch is set, the tired sailors sleep,  
 The star-eyed sky o'erhangs the dreamy deep—  
 No more, no more: I can no further write ;  
 Vain are my sighs, and weak my words this night ;  
 But kneeling here, amid the seething sea,  
 I pray to God, my best-beloved, for thee ;  
 And if that prayer be heard, as well it may,  
 Our parting night shall have a glorious day."

On the 10th of October 1848 M'Gee landed in America, and a fortnight later had started the *New York Nation*. Its leading articles did not lack genius and vigour, though the bitterness of his attacks on England, and also on the hierarchy of his own Church in Ireland,—who had used their influence to restrain their flocks from joining the standard of revolt,—alienated from the editor the sympathies of many of his countrymen. The attitude assumed by the priests in '48 was justified by the Roman Catholic Bishop of New York ; and the journalist found himself engaged in an angry controversy with Bishop Hughes, which was afterwards a source of regret to M'Gee, then, and always, a sincere Roman Catholic. His paper likewise suffered. He abandoned it, removed to Boston, and there started in 1850 a new journal—the *American Celt*.

For the ensuing seven years this able organ of opinion steadily rose in public estimation. It was published first at Boston, afterwards at Buffalo, and, at a later period, in New York. During these years—from 1850 to 1857—M'Gee's political views became largely modified. What he had seen of the corruption and tyranny of mob rule in the United States revolted him ; and democracy ceased to be, in his eyes, the highest form of government. The revolutionary ardour so natural to a young mind had yielded to the riper experience of life. This change of opinion was altogether uninfluenced by personal considerations. It was natural, gradual, disinterested, entirely the result of conviction, openly and frankly avowed. But in M'Gee's case it was cruelly misrepresented. It made him unpopular in the States ; it made him still more unpopular with a certain section of his countrymen, who loudly accused him of betraying the national cause. He who then, as ever, loved Ireland with a passion which never through life abated,—who watched and laboured for her honour, whose pen was occupied with her story, whose muse was inspired by the memory of her greatness, her history, and her scenery,—who, in the practical business of life, never omitted an opportunity of using pen and speech in strenuous endeavour to raise and elevate Irish men and Irish women,—this man was called a traitor to the Irish cause ! His life paid the penalty of this delusion, when, in after years, he became a mark for

the bullet of the Fenian assassin. But time remedies injustice and misconceptions. His memory, despite a passing obloquy, survives in the hearts of his countrymen, even as he himself passionately desired.

AM I REMEMBERED.

" Am I remember'd in Erin  
I charge you, speak me true—  
Has my name a sound, a meaning  
In the scenes my boyhood knew?  
Does the heart of the mother ever  
Recall her exile's name?  
For to be forgot in Erin,  
And on earth, is all the same.

O mother! mother Erin!  
Many sons your age hath seen—  
Many gifted, constant lovers  
Since your mantle first was green.  
Then how may I hope to cherish  
The dream that I could be  
In your crowded memory number'd  
With that palm-crown'd companie?

Yet faint and far, my mother,  
As the hope shines on my sight,  
I cannot choose but watch it  
Till my eyes have lost their light;  
For never among your brightest,  
And never among your best,  
Was heart more true to Erin  
Than beats within my breast."

Meanwhile, in the columns of the *American Celt*, as elsewhere, M'Gee sedulously devoted himself to the task of benefitting the condition of the Irish in America. He wrote, he lectured, he inaugurated the "Buffalo Convention." This committee of gentlemen took into their consideration the circumstances of their countrymen in the States, and proposed many valuable projects for their amelioration. The Irish emigrant, whose previous training generally fitted him for agricultural work, was urged to settle in the Western States as land owner and tiller of the soil, and to avoid the demoralising influences of the great cities. Warnings, such as those uttered in the columns of the *American Celt*, were needed, and in its editor the Irish in America found a friend ever interested in their moral and social well-being. M'Gee urged on them the duty of self-respect, thrift, sobriety, and the value of education, while he aided largely in the establishment of night-schools. He recommended to the Irish to be the subservient tools of no political party, but to be honest citizens of the country which afforded them a home and a career. His teaching on this point was alike given to the Irish in the States and in Canada. He narrated for his countrymen the story "of the dear ancestral island," and his *History* is written in a spirit of truth, candour, and displays rare literary merit. In speaking of this *History* of Ireland, its author himself said, "No one is more sensible of its many deficiencies than I am, and if I live I hope to remedy some of them; but it certainly was to me a labour of love, and I believe it is the first time that a *History* of Ireland has ever been commenced and

completed by a person situated as I was at the time, in a distant colony, after his personal connection with the mother country might be supposed to have closed for ever." Other books on the subject may have more value for their reference to authorities, but as a readable and interesting narrative, M'Gee's work has never been surpassed. It has the rare merit, also, of being free from bitterness, or any taint of religious bigotry or sectarian narrowness. Would that its author had lived to indite a work which was the dream of his life—a *Ballad History of Ireland*. "I have some thoughts of a volume," he wrote to friends in Ireland but a few days before his death,—"*Celtic ballads*;" he had already published many lyrics which would contribute towards "that desideratum, a *Ballad History of Ireland*." "If," he continued, "I have any work in me, walking in the wake of — and —, I could do it more heartily and cheerfully, if I was sure there was some public growing up somewhere within the circle of the English language, to whom such work and workers might look for encouragement and sustenance."

One marked characteristic of M'Gee's mind was its generosity. He heartily accorded his meed of praise to other workers in the same vein. So that noble work was done for fatherland, he cared not by what hand. In a paper read before the Montreal Literary Club, Dec. 3, 1866, he is reported to have said:—

"In closing this rough sketch of what has been done chiefly in our days to add a new kingdom to the realms of history, to elucidate the antiquities of one of the main divisions of the human family, I trust you will permit me to pay the tribute of my profound respect to those great scholars, both the living and the dead, by whom these researches have been conducted. It has been my good fortune to know some of them a little, and one or two of them intimately, and I shall always account it as the highest honour I could receive, that three or four years ago they unanimously elected me a member of their Academy. Personal feelings of gratitude may, therefore, bias, perhaps, my judgment; but I do venture to say, on a pretty full review of all that has been done for Celtic Literature in Ireland, during the last thirty or forty years especially, that the world has not seen a school of men more devoted, more laborious, or, all fair allowance made, more successful. Amid much that is disheartening, and much that is painful connected with current events in Ireland, I for one, as a sincere lover and well-wisher of the country, have often turned for consolation and encouragement to the recollection of those pious, patient men, grown gray in the work of national restoration; I have followed them in thought as they bent over their tasks, in the silent magnanimity of their souls, and in their works and their examples I have found not only the rescue of much that is most valuable in the past, but the promise of a wiser and better Ireland hereafter, than any the past has ever known."

No poems of M'Gee's but such as are autobiographical appear in this sketch. But the reader may find an elucidation of the sentiments expressed in this speech in the exquisite lyrics: "*The Four Masters*," "*Brother Michael*," "*Sursum Corda*," and the lament for "*Eugene O'Curry*," and "*The Dead Antiquary, O'Donovan*." Here are the opening stanzas of the last-named elegy. How Hebrew-like is the



love here expressed for the work, the workers, and the country for whose fame they laboured !

THE DEAD ANTIQUARY, O'DONOVAN.

" Far are the Gaelic tribes, and wide  
Scatter'd round earth on every side  
For good or ill ;  
They aim at all things, rise or fall,  
Succeed or perish—but through all  
Love Erin still.

Although a righteous Heaven decrees  
'Twixt us and Erin stormy seas  
And barriers strong,  
Of care, and circumstance, and cost,  
Yet count not all your absent lost,  
Oh, land of song !

Above your roofs no star can rise  
That does not lighten in our eyes,  
Nor any set  
That ever shed a cheering beam  
On Irish hillside, street, or stream,  
'That we forget.

No artist wins a shining fame,  
Lifting aloft his nation's name  
High over all ;  
No soldier falls, no poet dies,  
But underneath all foreign skies  
We mourn his fall !

And thus it comes that even I,  
Though weakly and unworthily  
Am moved by grief  
To join the melancholy throng,  
And chant the sad entombing song  
Above the chief—

The foremost of the immortal band  
Who vow'd their lives to fatherland ;  
Whose works remain  
To attest how constant, how sublime  
The warfare was they waged with time ;  
How great the gain ! "

His labours in the cause advocated by the " Buffalo Convention " proved the turning-point in M'Gee's career. He had visited Canada—in common with other districts of the North American continent—to interest his countrymen in the scheme for Western colonisation. There he found—what he had not previously suspected—that the Irish were well contented with their position, and had no desire to exchange their practical freedom, under British sway, for the mob rule, and the " Know Nothing " agitation of the States. His own opinions—founded on personal experience—were gradually becoming more and more adverse to democracy and in favour of monarchy, as more congenial in spirit, and better suited to the Irish temperament. He abandoned the scheme of Western colonisation, took up his abode in Montreal, started the *New Era*, a journal which proved but short-lived, for before he was many months in Montreal he was elected, by the Irish vote, one of the

representatives of the city, and took his seat in the Canadian Parliament in 1858. M'Gee, returned triumphantly by the Irish vote, and looked on with not unnatural suspicion by the Conservative party, found himself of necessity at first among the ranks of the Reform party. But he gradually sided with the party to which his disposition,—inclined, as he himself expressed, “towards reverence for things old, and veneration for the landmarks of the past,”—naturally led him. In the general election of 1861 he was again returned for Montreal with acclamation, and in 1862 entered the Government as President of the Council. In 1864, under the Tache-Macdonald government, he was Minister of Agriculture, and bent all the energies of his great mind to the accomplishment of that Federal Union which was so happily achieved in 1867, when, by the union of the maritime provinces with Canada, the “Dominion” commenced its political career, a great and united State.

“There are before the public men of British America,” said M'Gee, in one of his speeches in reference to this project, “at this moment but two courses, either to drift with the tide of democracy, or to seize the golden moment and fix for ever the monarchical character of our institutions. I invite every fellow-colonist who agrees with me to unite our efforts, that we may give our Province the aspect of an Empire, in order to exercise the influence abroad and at home to create a State, and to originate a history which the world will not willingly let die!”

And again:—

“If that way towards greatness which I have ventured to point out to our scattered communities be practicable, I have no fear that it will not be taken even in my time. If it be not practicable, well, then, at least, I shall have this consolation, that I have invited the intelligence of these Provinces to rise above partizan contests and personal warfare to the consideration of great principles, healthful and ennobling in their discussion to the minds of men.”

And again, in a speech in the Canadian Parliament:—

“I look to the future of my adopted country with hope, though not without anxiety. I see in the not remote distance one great nationality, bound, like the shield of Achilles, by the blue rim of ocean. I see it quartered into many communities, each disposing of its internal affairs, but all bound together by free institutions, free intercourse, and free commerce. I see within the round of that shield the peaks of the western mountains, and the crests of the eastern waves; the winding Assiniboine, the five-fold lakes, the St Lawrence, the Ottawa, the Saguenay, the St John, and the Basin of Minas. By all these flowing waters, in all the valleys they fertilise, in all the cities they visit in their courses, I see a generation of industrious, contented, moral men, free in name and in fact—men capable of maintaining, in peace and in war, a constitution worthy of such a country.”

In 1865, the Hon. T. D. M'Gee arrived in Ireland to be present as representative of Canada at the Dublin Industrial Exhibition. He had fled from his native land, in secrecy and danger, seventeen years before; he returned, a minister of the crown, with a well-earned reputation, as statesman and author. As a citizen of Canada he was intensely loyal, believing heartily in British connection for his adopted country. He remained as strongly opposed as he had ever been to many items of

British rule in Ireland, but now urged their removal by peaceful and constitutional reforms.

He addressed his countrymen at Wexford in a speech of remarkable power. As Minister of Emigration he pointed out the inducements which Canada had to offer, and contrasted the position of Irishmen there with the career before them in the United States. He spoke strongly against Fenianism, then rife in both countries, and in so doing increased his unpopularity with a section of the people. He was branded as an informer and traitor to the cause of Ireland. He warmly resented this unfounded charge.

"If I have avoided for two or three years much speaking in public on the subject of Ireland, even in a literary or historical sense," he said, in 1868, "I do not admit that I can be fairly charged in consequence with being either a sordid or a cold-hearted Irishman. I utterly deny that because I could not stand still and see our peaceful unoffending Canada invaded and deluged with blood, in the abused and unauthorised name of Ireland, that therefore I was a bad Irishman. I utterly deny the audacious charge, and I say that my mental labours will prove, such as they are, that I know Ireland as well, both in her strength and her weakness, and love her as dearly, as any of those who, in ignorance of my Canadian position—in ignorance of my obligations to my adopted country—not to speak of my solemn oath of office—have made this cruelly false charge against me. . . . I will further take the liberty to mention that when, in 1865 and 1867, by the consent of my colleagues and my gallant friend here (Sir John A. Macdonald), I went home to represent this country, I on both occasions, in 1865 to Lord Kimberley, then Lord-Lieutenant, and last year to the Earl of Derby, whose retirement from active public life, and the cause of it, every observer of his great historical career must regret—I twice respectfully submitted my humble views, and the result of my considerable Irish-American experiences, and that they were courteously, and I hope I may say favourably, entertained. . . . I felt it my duty to press the trans-Atlantic consequences of the state of Ireland on the attention of those who had the initiation of the remedy in their own hands, believing that I was doing Ireland a good turn in the proper quarter. I cannot accuse myself of having lost any proper opportunity of doing so, and if I were free to publish some very gratifying letters in my possession, I think it would be admitted by most of my countrymen that a silent Irishman may be as serviceable in some kinds of work as a noisy one. . . . I will only say further, on the subject of Ireland, that I claim the right to love and serve her, and her sons in Canada, in my own way, which is not by either approval or connivance with enterprises my reason condemns as futile in their conception, and my heart rejects as criminal in their consequences."

Feeling thus, and as a representative man of the Irish in Canada, he felt it incumbent on him in 1866 to take an active part in the repression of Fenianism in that colony. He received hosts of threatening letters in consequence, and three distinct warnings from individuals, that unless he desisted from these efforts he would be assassinated. Personal danger, however, could not deter him from what he deemed to be the path of duty.



In 1867 M'Gee returned to Europe, and with his brother delegates repaired to London to arrange with the Imperial Government the legislative acts necessitated by the federal union of the Provinces, thenceforward constituting the Dominion of Canada. He then visited Paris, as Commissioner from Canada to the French Exposition, and afterwards visited Rome as one of a deputation from the Catholic inhabitants of Montreal, where he had an interview with the Pope on the subject of the affairs of St Patrick's congregation in that city. In Paris he suffered from severe illness, and returned to Canada with greatly impaired health. This continued during the winter, but in March 1868 he wrote to friends in Ireland—"For the first time in six months I got out last week. . . . I have been at Death's door, but did not go in. On the contrary, I hope and trust I have got a new lease for some years more. I have done nothing the last few days but write Gaelic ballads, of which you shall have a sample or two shortly." One of these was forwarded from Ottawa on St Patrick's Eve, with an intimation that by next post others should follow. "To-morrow, St Patrick's Day," he adds, "I am to be dined here by certain leading citizens, Irish Protestants and Catholics, at which (as on every other occasion) I intend to say something on the always agreeable subject of our recent national literature. . . . I wish to Heaven it was in my power to draw the minds of a few hundreds or thousands of the Irish on this side the sea to the duty and wisdom of encouraging native writers."

The festive entertainment was given, and the *Ottawa Times* of the 18th of March 1868 thus describes it:—"The dinner to the Hon. Mr M'Gee was an entirely exceptional display—such as never before occurred in Canada—of respect to a public man, whose great services to the country are alike appreciated by all classes, . . . public services which have become the historic property of a nation." The speech was made, with its generous mention, individually and by name, of recent Irish writers. "Even I," continued the orator, warming to his subject, "in this far north of the New World, catch sometimes by reflection a glow of the same inspiration, and venture my humble word to cheer on and applaud those true patriots, and true benefactors of their country and countrymen."

Upon another subject no less dear to his heart—mutual toleration and mutual good-will among men of different creeds—Mr M'Gee adds:—

"As for us who dwell in Canada, I may say, finally, that in no other way can we better serve Ireland than by burying out of sight our old feuds and old factions—in mitigating our ancient hereditary enmities—in proving ourselves good subjects of a good government, and wise trustees of the equal rights we enjoy here, civil and religious. The best argument we here can make for Ireland is, to enable friendly observers at home to say, 'See how well Irishmen get on together in Canada. There they have equal civil and religious rights; there they cheerfully obey just laws, and are ready to die for the rights they enjoy, and the country that is so governed.' . . . I hold that man an insincere man who does not heartily prefer his own religion to any other, and an unfortunate man who does not practise the religion he holds dear; but surely we can all sincerely believe, and loyally live up to,

our own religious convictions, and yet remember that of the glorious trinity of evangelical virtues, 'the greatest of these is charity.' Whatever else any Church claiming to be Christian teaches its members—whatever dogmas any of us hold or reject—we are all equally and alike taught this one and the same doctrine, 'Do unto others as you would they should do unto you.' Now, it is on this eminently social, just, and patriotic principle we meet here to-night, and it is a principle which ought to commend itself to the general approbation of all good men. Mr Mayor, I know it is because I have endeavoured in my weak way to set forth and illustrate this principle that you have graciously connected my humble name with this St Patrick's festival of 1868; and it is because I am deeply grateful to my adopted country, and because I am honestly ambitious to be reckoned somewhere, however lowly the place, in the catalogue of her patriots, that I thank you most unaffectedly for this great impetus to the good cause of future peace and good-will among us all. . . . I thank you again . . . for the opportunity you have afforded me of saying a word in season in behalf of that ancient and illustrious island, the mere mention of which, especially on the 17th of March, warms the heart of every Irishman, in whatever latitude or longitude the day may dawn or the stars look down upon his political destinies or his private enjoyments."

So spake the true Canadian patriot, the true and ardent lover of Ireland, on the evening of St Patrick's day, Tuesday, 17th March 1868. Three weeks later, on Tuesday the 7th of April, he was no more! His last speech, made in the House of Representatives at Ottawa, on the night of his assassination—the final one of the session—was characterised by his wonted vigour. His life was about to be the sacrifice for opinions frankly avowed, but unpopular and misinterpreted; and his last words, viewed in the light of subsequent events, have a strange significance. "Popularity," he said, "is a great good, if we accept it as a power and a means to do good to our country and our fellow-men,—something to be cherished and clung to. But popularity for its own sake is nothing worth—worse than nothing if purchased at the sacrifice of one's convictions of right. . . . Base indeed would he be who could not risk popularity in a good cause—that of his country." During the progress of the debate, M'Gee, having spoken, occupied himself in writing a letter for that night's mail, which he dropped into the letter-box as he was leaving the House. It was to a friend in Ireland, and was occupied with the political debate just concluded. But a postscript was added, brief, but of much consolation to the heart of the recipient. It was to the effect that his correspondent would be glad to learn that for some time past he had been a total abstainer, being anxious as to a growing tendency to the use of stimulants, that he had been a recent communicant, and had been thinking more seriously than formerly during the period of his long illness. He left the House, arm in arm with the member for Perth, Mr Macfarlane. They parted at the corner of the street where M'Gee had temporary lodgings. "Good night, and God bless you." "Good morning rather—it is morning now." His friend had barely left him, when, as he was opening his door with his latch-key, the fatal shot was fired in the moonlight, and a few days before his forty-third birthday, and a few hours before his expected return to wife

and children at Montreal, Thomas D'Arcy M'Gee fell, the victim of Fenian assassination. Comparatively young though he was when thus cut off, he had yet had time and opportunity to accomplish his life's labour, and to realise the wish he had fondly expressed, in this last aspiration, which is extracted from his poetical remains.

"A FRAGMENT.

"I would not die with my work undone,  
My quest unfound, my goal unwon,  
• Though life were a load of lead;  
Ah! rather I'd bear it day on day,  
Till bone and blood were worn away,  
And Hope in Faith's lap lay dead.

I dream'd a dream when the woods were green,  
And my April heart made an April scene,  
In the far, far distant land,  
That even I might something do  
That should keep my memory for the true,  
And my name from the spoiler's hand."

GENERAL SIR DE LACY EVANS.

BORN 1787—DIED 1870.

GENERAL Sir De Lacy Evans, son of Mr William Evans of Milltown, was born at Moig, in the county Kerry, in 1787. He received his early education at the Woolwich Academy, and entered the army in 1807. He spent the first three years of his military life in India, and was actively engaged in the operations against Ameer Khan and the Pindarees, and he also shared in the capture of the Mauritius. For nearly half a century, from 1807 until near the close of the Crimean War in 1854, he enjoyed few intervals of repose from active military service; and it may be said that from the day when the youthful soldier first served in India, until the memorable 5th of November, when the veteran closed his brilliant military career on the bloody field of Inkermann, his life had been passed almost exclusively amidst the incessant din of arms, and the heat and excitement of war. During that period he was regularly attached to eight armies, and engaged in fifty considerable battles in Asia, Europe, and America, besides minor conflicts innumerable. He seems, indeed, to have had "a charmed life," considering that he had no less than eight horses shot under him, and was himself severely wounded on four occasions. He was always to be found in the midst of the hottest fighting; and wherever there was a service of danger to be performed—a storming party or any other daring exploit—De Lacy Evans never lost an opportunity of adding to his laurels. For personal bravery he was unsurpassed, even by his gallant countrymen Beresford and Gough; and if "the love of fighting" be rightly ascribed to the Irish people as a national characteristic, he was certainly a faithful representative of his race. All through his career his personal gallantry was not only conspicuous, but something wonderful—"something seemingly more than human," observes a witness of his chivalric feats; and it is recorded that "he acquired most distinction



by volunteering for storming parties, and all enterprises where honour was to be gained at terrible risk, by the display of the highest military qualities." During the intervals of peace, for want of more congenial employment, he endeavoured to gratify his warlike propensities by fighting the constitutional battles of his country. Such pastimes, however, did not possess excitement strong enough for one of his ardent temperament, and he longed for battles and the stern chances of war. He was not doomed to find his occupation gone. There was soon a chance for the martial senator to return to his favourite pursuits. Accordingly, in 1835, we find him at the head of "the British Legion" fighting for the Infanta Isabella and the liberties of Spain. In like manner, again, in 1854, he was released from Parliamentary duties to take the command of a division in the Crimean War. During both these campaigns he retained his seat in Parliament for the city of Westminster, by the special favour of his constituents. When he accepted the command of "the British Legion" in Spain, it was not in answer to anything like a call of duty, or from any pressure put upon him, that he did so, but solely, we believe, from the impulse of his own warlike nature. Indeed, one can scarcely suppress a smile at the picture of the gallant member solemnly appealing to the peaceful folk of Westminster to be let off to fight Don Carlos, on a two years' leave of absence—like a schoolboy begging for a holiday for some special trip of pleasure.

In 1810 Evans joined the army under Wellington in the Peninsula, and accompanied the British forces on their retreat from the unsuccessful siege of Burgos, and from that period took part in all the principal battles during the war. When Wellington was about to enter France, De Lacy Evans was sent forward by Sir George Murray to survey the passes of the Pyrenees. This work he performed with such ability that he obtained staff employment. Soon after the advance into France he was present at the battle of Toulouse, when he had a horse shot under him, as he had had previously at the investment of Bayonne. In January, May, and June 1815 he was successively promoted to the rank of captain, major, and lieutenant-colonel, expressly for distinguished services against the enemy. Previous to these promotions, he had been transferred in 1814 from the army of Wellington to another field of action,—being ordered on active service to North America, to take part in the war against the United States. It was De Lacy Evans who, on the attack on Washington, forced the House of Congress at the head of only 100 light infantry. He also took part in the attack on Baltimore; and in the battle of Bladenburg, where he signally distinguished himself, he had two horses shot under him. From a contemporary writer we learn "that he was the only volunteer from the army that accompanied the boat's crew of the English fleet, which boarded and captured the strongly-armed American sloop-of-war posted for the defence of Lake Borgne before New Orleans." He was severely wounded in December 1814, and again in January 1815 in the disastrous assault on New Orleans. On the latter occasion the two English generals, Pakenham and Gibbs, were killed, and the British army defeated by the Americans under the celebrated Andrew Jackson, afterwards President of the United States.

Recalled to European service, he arrived in the spring of 1815, in time to join the army in Flanders under the Duke of Wellington, and was engaged in the battle of Quatre Bras, and two days subsequently in the final battle of Waterloo, where, as usual, he proved himself the bravest of the brave, and had two horses shot under him. He advanced with the army to Paris, and remained on the staff of the Duke of Wellington during the occupation, after which he returned to England with the British contingent, and lived for several years in honourable retirement. He now began to devote his active and energetic mind to politics. During the agitation consequent on the Reform Bill, Colonel Evans was returned on Radical principles for the borough of Rye, which he represented in one short Parliament. In December 1832 he lost his seat for Rye, and was shortly afterwards unsuccessful in his efforts to be returned for the more important constituency of Westminster. In May 1833, however, he was returned for the latter constituency, when Sir John Cam Hobhouse (afterwards Lord Brough-ton) sought re-election at its hands, having resigned for the purpose of allowing his constituents to vote on his conduct in reference to the house and window taxes. While Colonel Evans represented Westminster, he seems to have given satisfaction to his constituents; more perhaps from his popularity as a model of British heroism, than from any reputation he could have acquired as a politician or a statesman. But occupation more congenial to his tastes was before him. In 1835, as already mentioned, the Queen Regent of Spain obtained leave from the British Government to raise an auxiliary force in this country, in order to support her cause, and that of her daughter Isabella, against her absolutist rival Don Carlos. A force of 10,000 men was raised accordingly, and the command of the "British Legion" was accepted by Colonel Evans. But he had no sooner accepted the command, than he found that he had "to contend not only with the influence of a powerful party in England, who sympathised with the cause of absolute government all over the world, but with that of the Court, the military authorities, and even the king himself in obedience to whose ends the enterprise was undertaken." There could be no doubt that the cause of Don Carlos was the national and popular one, and would have prevailed, were it not for foreign intervention. Under these circumstances, the policy of raising a British Legion at all was most severely criticised at the time both in and out of Parliament, and Lord Palmerston, then Secretary for Foreign Affairs, and in consequence of whose concessions the remission of the rule as to foreign enlistment was sanctioned by the Privy Council, came in for a large share of the odium of an enterprise which should never have been undertaken. Colonel Evans, too, as the captain of the unpopular expedition, and perhaps in no small degree as the Radical member for Westminster, was in his absence made the subject of the most bitter invective and vituperation. All the calamities which befell that ill-organised and ill-treated "British Legion" were attributed to his incapacity, and all their successes were attributed to accident. But Colonel Evans, on returning home in 1837, so thoroughly vindicated his conduct from all accusations, that shortly afterwards he was nominated a Knight Commander of the Bath, in

recognition of his services in Spain. From the Spanish Government he received the Grand Cross of SS. Ferdinand and Charles.\*

In 1835, as we have seen, he was member for Westminster, and again in 1837; but at the general election in 1841 he lost his seat, being defeated by Captain, now Admiral Rous. At the next dissolution, however, he regained his place, and continued to represent that constituency down to 1865, when he retired from political life. In 1846 Sir De Lacy attained the rank of major-general; and on the breaking out of the Russian War in 1854, he was appointed to the command of the second division of the Eastern army, with the rank of lieutenant-general. At the battle of the Alma, his was one of the leading divisions, and was led by him across the river in the most dashing and intrepid style, under a murderous fire of grape, round shot, cannister, case shot, and musketry. His troops suffered terribly on that memorable occasion, and Evans received a severe contused wound in the right shoulder. He again showed his worth as a man and a general on the 26th of October, during the siege of Sebastopol, when his division was attacked by a large force of Russians, which moved out of the town for that purpose, amounting to 6000 men. The enemy advanced with masses of infantry supported by artillery, and covered by large bodies of skirmishers. Such, however, was the warmth of their reception, that, in less than half-an-hour, the Russian artillery were compelled to retire. The Russian columns, exposed to the fire of the English advanced infantry, were soon thrown into confusion. The English then literally chased them over the ridges, and down towards the head of the Bay of Sebastopol. The English loss was 80 killed and wounded; 80 was also the number of Russian prisoners taken; but the total loss of the enemy was about 800. Lord Raglan, in reporting on the battle, declared that he could not too highly praise the gallant manner in which Evans met the attack, and that nothing could have been managed with more consummate skill and courage.†

But the close of his glorious career was now at hand. On the morning of the 5th of November 1854 commenced the ever-memorable battle of Inkermann. Evans, worn out by illness and fatigue, had gone on board a vessel, lying in the harbour of Balaklava, leaving General Pennefather in command of the division. On hearing, however, that a desperate battle was raging before Sebastopol, the gallant veteran, sick and exhausted as he was, insisted on leaving his bed, and proceeded at all hazards to the front, but not to take the command from General Pennefather, or deprive that brave officer of the honours of the day, but to help him with his advice in the momentous crisis of that terrific fight. As might be expected, his noble conduct on this occasion was made the subject of special commendation in the despatches of the commander-in-chief, and again in the despatch from the Minister of War, which conveyed Her Majesty's thanks to the army

\* For full particulars of the Spanish expedition, we refer the reader to "Memoranda of the Contest in Spain," published by Sir De Lacy Evans in 1840, and dedicated to his constituents of Westminster; also to "A Concise Account of the British Auxiliary Legion in Spain," published at Scarborough in 1837. Some of the most severe criticisms on Lord Palmerston and Sir De Lacy will be found in *Blackwood's Magazine*, vols. xl., xlii., xliii., xlv., and xlix.

† See Russell's "War in the Crimea."



of the East. In the following February, immediately on his return to England invalided, and the re-assembling of Parliament, Sir De Lacy Evans received in person, in his place in the House, the thanks of the House of Commons "for his distinguished services in the Crimea," the vote being conveyed to him in an admirable speech from the speaker, who referred in the most complimentary terms to his illustrious services. His reply on this occasion was modest and manly, and thoroughly characteristic. While he acknowledged the high honour done him by that august assembly in the most respectful terms, he did not forget to remind his hearers of the very different feeling which had been displayed in that House some eighteen years before, when, after returning from duties like those which he had so lately performed, he had been assailed with all the bitterness of party and personal rancour. He claimed for himself to have been as good a soldier in 1837 as he was in 1855, and protested against the injustice of attacking a man with slander and vituperation, merely because the enterprise with which he was intrusted did not happen to be agreeable to the tastes and doctrines of his political opponents. In the same year he was promoted to be a Knight Grand Cross of the Order of the Bath, and created an honorary D.C.L. by the University of Oxford, and in 1856 a grand officer of the Legion of Honour. He died at his residence, Great Cumberland Street, London, on the 9th of January 1870, at the age of eighty-two. His death caused a general feeling of regret in public and in private circles, as he had acquired not less esteem and affectionate respect in his private relations than he had of public admiration for his brilliant achievements.\*

#### SIR HENRY MONTGOMERY LAWRENCE.

BORN 1806—DIED 1857.

BRIGADIER-GENERAL Sir Henry Montgomery Lawrence, K.C.B., was born at Mattura, in Ceylon, 28th June 1806. He was the eldest son of the late Lieutenant-Colonel Alexander William Lawrence, of the county of Londonderry, some time Governor of Upnor Castle, Kent, an officer of great gallantry, and who distinguished himself at the capture of Seringapatam. He received his early education at Foyle College, Londonderry, and afterwards at the Military College, Addiscombe, entering in 1821 the service of the East India Company, as a cadet in the Bengal Artillery. Early in his career he attracted the favourable notice of his superiors; and long before he had an opportunity of displaying his high qualities, he was recognised as one of the most efficient and promising officers in the service. He served in the Cabul campaign of 1843 under Sir George Pollock, and was raised to the rank of major.

\* His sagacity as a statesman in matters coming peculiarly within the scope of his military experience, was evinced in two publications: one "On the Designs of Russia" (London, 1828), and another on "the Probability of an Invasion of British India" (London, 1829). An account of the campaign in America will be found in his work, entitled "Facts relating to the Capture of Washington" (London, 1829)

In the same year he became British Resident at Nepaul. He afterwards took a distinguished part in the Sutlej campaigns, and was promoted for his services to the rank of lieutenant-colonel, and created a military C.B. In 1846 he was appointed Resident at Lahore, and agent for the Governor-General on the north-west frontier; and for the able discharge of the duties of this important post he was created a K.C.B. in 1848. On the annexation of the Punjab in 1849, Sir Henry was appointed the chief commissioner of that province—his brother, Mr John Lawrence, afterwards Lord Lawrence, and Mr Grenville Mansel being the other members of the board of administration. These gentlemen undertook separate branches of the administration. Sir Henry Lawrence conducted all the political business with the Punjab chiefs, whilst Mr John Lawrence superintended the revenue administration. From the Punjab he was removed to the superintendence of the Rajpoot states, where his measures were equally successful, as in the Punjab, in conciliating the chiefs, and ameliorating the moral and social condition of the people. In 1854 he attained the rank of colonel, and was appointed an honorary aide-de-camp to the Queen. On the annexation of Oude, Sir Henry was nominated the chief commissioner at Lucknow—an office which virtually made him governor of the new province. On the breaking out of the mutiny of 1857, all Oude was speedily in arms, although he had taken every precaution that prudence and foresight could suggest to prevent an outbreak. The mutiny at Lucknow broke out on the 30th of May, and the conduct of Sir Henry under the terrible circumstances is described as “worthy of his character as a valiant and skilful soldier, and a great ruler.” For a long time he held his mutinous regiments to their allegiance by the force of his character; and when finally the torrents of disaffection swept away these also, he retired into the Residency, which he had hastily fortified, with a handful of brave Europeans, soldiers and civilians, and a crowd of helpless women and children, and a few steadfast native soldiers, who held fast to their affection for Lawrence, with the devotion of the early Sepoys to Clive.\*

The circumstances of the death of Sir Henry Lawrence are these:—He had taken up his quarters in a room of the Residency very much exposed to the enemy's fire. On the 1st of July an 8-inch shell burst in this room, between him and Mr Cowper, close to both, but without injuring either. The whole of his staff implored Sir Henry to take up other quarters, as the Residency had become the special target for the round shot and shell of the enemy. This, however, he jestingly declined to do, observing that another shell would certainly never be pitched into that small room. Unhappily the chances were adverse. On the following day another shell burst in the same spot, mortally wounding Sir Henry, Captain Wilson, deputy-assistant-adjutant-general, receiving a contusion at the same time. Colonel Inglis, who succeeded to the command at Lucknow, in his despatch, dated September 1857, thus describes the last moments of this brave

\* For an account of the resolute defence of Lucknow, the daring exploits and devoted sacrifice of the men, and of the patient endurance and terrible sufferings of the women and children, the reader is referred to Mr Gubbin's account of the mutiny in Oude.

commander:—"Knowing that his last hour was rapidly approaching, he directed me to assume command of the troops, and appointed Major Banks to succeed him in the office of chief commissioner. He lingered in great agony till the morning of the 11th of July, when he expired, and the Government was thereby deprived, if I may venture to say so, of the services of a distinguished statesman and a most gallant soldier. Few men have ever possessed to the same extent the power which he enjoyed of winning the hearts of all those with whom he came in contact, and thus insuring the warmest and most zealous devotion for himself and the Government which he served. The successful defence of the position has been, under Providence, solely attributable to the foresight he evinced in the timely commencement of the necessary operations and the great skill and untiring personal activity which he exhibited in carrying them into effect. All ranks possessed such confidence in his judgment and his fertility of resource, that the news of his fall was received throughout the garrison with feelings of consternation, only second to the grief which was inspired in the hearts of all by the loss of a public benefactor and a warm personal friend. . . . In him every good and deserving soldier lost a friend, and a chief capable of discriminating and ever on the alert to reward merit, no matter how humble the sphere in which it was exhibited."\*

Another writer says:—"A nobler soldier, a more devoted public servant, a more benevolent and large-hearted man, never died."

Of his wisdom and practical benevolence a lasting memorial survives in the noble institution which bears his name—"the Lawrence Asylum"—which was established for the reception of the children of European soldiers in India. The necessity and utility of this institution were soon so fully recognised by the Indian public, that on the death of the estimable Lady Lawrence, the English in India, who knew her high qualities, subscribed a very considerable sum in augmentation of the funds of the Asylum, thinking that there could be no testimonial more worthy of the deceased, or more respectful to the memory of her husband. The Government, too, have accorded it a liberal support. For many years Sir Henry devoted a portion of his leisure from official labours to literary pursuits. His contributions to the *Calcutta Review* in the years 1844-56 have been collected since his death, and were published in London in 1859 as "Essays, Military and Political." Two of these essays are especially remarkable; they were written in the year preceding the mutiny, and prefigured with extraordinary foresight the terrible calamity that was then impending.

In recognition of Sir Henry's services, his eldest son has been created a baronet.

THE RIGHT HON. ABRAHAM BREWSTER, P.C., EX-LORD-CHANCELLOR OF IRELAND.

BORN 1796.

THE Right Hon. Abraham Brewster was born at Ballinamulta, in the county Wicklow, in the year 1796. He was the eldest son of the

\* See also Mr Gubbin's account of the mutiny of 1857.



late William Bagenal Brewster, Esq. of Ballinamulta, by Miss Bates, daughter of Mr Bates of Killenure, county Wicklow. His grandfather William was the second son of Samuel Brewster, Esq. of Ballywilliam Roe, county Carlow, and was descended from a branch of the East Anglian family of Brewster. He received his early education at Kilkenny College, graduated A.B. 1817 at Trinity College, Dublin, and was called to the Irish bar in the year 1819. In 1835 he was promoted to the inner bar, where he enjoyed a most distinguished practice as a leader until his elevation to the bench in 1866. He was law adviser for many years to successive Lord-Lieutenants of Ireland. In 1846 he became Solicitor-General under Sir Robert Peel's Ministry, but filled that post for a few months only, namely, from February to June of that year. In the same year he was elected a Benchler of the Honourable Society of King's Inns. On the formation of Lord Aberdeen's Ministry in 1852, Mr Brewster was made Attorney-General for Ireland, and held that office until March 1855. He was added to the Privy Council on becoming Attorney-General. During Lord Derby's second administration, in 1866, Mr Brewster was appointed Lord-Justice of Appeal in the room of Mr Blackburne, who resigned that office to accept the Great Seal for a second time. Early in 1867 Mr Blackburne, owing to his failing health, retired from the Chancellorship, and Mr Brewster was promoted to the office of Lord Chancellor, which he vacated on the retirement of the Derby administration in December 1868.

When Mr Brewster was promoted to the most exalted position open to him in the law, there was no one who could dispute his title to the highest honours which the country could confer upon him; nor could any one deny that if merit had been made the ground of preferment, he should have been advanced to the foremost place many years before he was. Nothing but the consciousness of this could have sustained him during a long servitude to the arduous labours of professional life. For a period of twenty years, from the time he was Solicitor-General in 1846 until he became Lord-Justice of Appeal in 1866, he was doomed to plead before judges in the Courts of Law and Equity, whose claims to judicial honours were in nearly every instance much inferior to his own. But it is creditable to him that he always bowed with respect to the offices, if not always to the men, and never evinced, in public at least, any symptoms of jealousy or bitterness towards his more fortunate legal brethren.

In Ireland there is not, as in England, the same division of legal labour; and a junior barrister in the former country must be ready to plead in every court, whether of Law or Equity, at the shortest notice. The result of these multifarious demands upon Irish barristers is sufficiently obvious in the fact, that few of them have time to attain that high excellence in any one department which distinguishes their more fortunate brethren on the other side of the water, as lawyers, authors, and judges, and has been unfairly ascribed to the difference of race. If to this state of things—which is to a great extent the necessary consequence of the dearth of business in Ireland, as compared with England—be added the pernicious system of making political agitation and parliamentary services the passport to advancement, it seems more

reasonable to conclude that Irish lawyers could never have been as successful as they have been, but for their superior natural quickness and versatility of talent. With this latter difficulty, the distractions of political and parliamentary life, Mr Brewster had not so much to contend; although, of course, as law adviser to the Castle, and as Solicitor and Attorney-General, and especially as a Privy Councillor, there were considerable demands upon his time in relation to the political questions of the day. With the former difficulty, arising from the distracting claims of his profession, his extraordinary powers, physical as well as mental, enabled him to contend more successfully than any man at the Irish bar. He was equally at home in the Courts of Common Law, as he was in those of Equity. But in self-defence he was for many years obliged to refuse accepting a brief in the former courts, unless under a special fee. His services, however, were so highly esteemed, that he has appeared in all the important cases which have occupied those tribunals up to the time of his elevation to the bench. As a cross-examiner he was never surpassed. His natural shrewdness and powers of discrimination, developed by long training and close observation, gave him a profound insight into human nature and the springs and motives of human action, never possessed by any other advocate in a higher degree. Hence his weight with judges and juries was immense. He never attempted lofty flights of eloquence; but there was always a force in his words more impressive and more lasting than the most brilliant feats of impassioned declamation. In the Courts of Equity, there was no case, great or small, in which he was not engaged as counsel. His knowledge of the law and practice of the Court of Chancery was so perfect that he could never be taken by surprise. His influence with the successive Chancellors who presided over the Equity Courts in his days was naturally very great; and when the balance of intellectual power was to some extent disturbed by the withdrawal of Mr Christian and Mr Fitzgerald, this influence may have unduly affected the judgments of these courts. In using the word "unduly," we do not mean to attribute anything like an improper use of his great powers in discharging his duty for the best interests of his clients; but that there was abroad the impression that his advocacy was at that particular time more than ever worth securing is clear from the anxiety evinced in every case by practitioners to retain his services, the moment a suit was duly constituted and fairly in court. This impression, however, was of very short duration, as the great abilities of Mr Lawson, Mr Sullivan, and other eminent men, soon became so fully recognised, that there was little ground for apprehension that the Equity judges should go far astray in their decisions from not being fully advised as to the law and facts on both sides of every case which came before them. In the Court of Probate, too, from the time of the establishment of that most important tribunal in 1857, until his retirement from professional life, Mr Brewster figured conspicuously in every celebrated trial. As a case-lawyer he held the highest reputation in England as well as Ireland; and his opinions have been frequently sustained against the opinions of some of the most eminent lawyers of both countries. His appointment to the high post of Lord-Justice of Appeal was as creditable to Lord Derby's Ministry as the appointment of Mr Blackburne to



the same office on its institution in 1857 was creditable to Lord Palmerston's administration. Both were fairly made from a regard to merit independently of party considerations. When Mr Brewster was first named as the probable successor of Mr Blackburne as Lord-Chancellor in 1867, there were some objections urged against his appointment, on the ground that the Chancellorship was essentially a political office as much as the Lord-Lieutenancy, and that his claims on the Conservative party were not as strong as those of others; but those objections were soon silenced, when Lord Derby announced his intention of regulating his choice on the broad basis of merit, apart from political services. Of the manner in which Mr Brewster discharged the duties of Lord-Justice of Appeal and of Lord-Chancellor, it would be presumptuous to attempt any criticism. The rule of reticence and reserve, which is generally observed in the case of living judges, may not be strictly applicable in the case of an ex-Lord-Justice or an ex-Lord-Chancellor. But as the right hon. gentleman may again be called upon to fill the latter high office, it seems better taste to observe than break the rule on the present occasion, so far as his Chancellorship is concerned. We have, however, no hesitation in giving the following extract from *The Irish Law Times and Solicitor's Journal*, as showing the opinion entertained of Mr Brewster's qualifications in legal circles, both in England and Ireland:—"The recent legal appointments consequent on the resignation of the Right Hon. Francis Blackburne have been already very fully discussed both here and in England; and it is gratifying to us to be able to congratulate the public and the profession upon the satisfaction with which the leading journals, representing every shade and variety of political opinions, have, with one voice, expressed themselves as to the selection made by the Government. This singular unanimity of opinion is the best proof that can be given that these appointments have not been bestowed as a reward for mere political services, without regard to the merits or peculiar suitability of the individuals upon whom they have been conferred. The Right Hon. Abraham Brewster, as Lord-Chancellor of Ireland, is unquestionably the right man in the right place. A writer in an English Review, alluding to Irish legal appointments consequent on the change of Government, speaks of our Irish establishments as affording 'a safe and lucrative retreat for ex-politicians;' but in reference to Mr Brewster's elevation to the office of Lord-Justice of Appeal, the same writer says, 'Here, it must be confessed, was a rare instance of promotion by merit; of his appointment no complaint can be made, except by those extreme politicians of a class, by no means extinct in Ireland, who regard party services as alone worthy of being estimated.' We feel it would be simply a piece of impertinence to the readers of this journal to expatiate on the subject of Mr Brewster's fitness for the high and important duties which he is now at length called upon to discharge. It must, however, be admitted, that some feeling of disappointment was produced among many members of both branches of the profession immediately upon Mr Brewster's entering upon his duties as Lord-Justice of Appeal. But we feel confident that this feeling, if it still exists, will be very soon effaced, and that there will be no ground to apprehend that the advantage to be derived by the



public from ability of the highest order, vast experience, and profound learning, shall be marred by anything resembling an exhibition of impatience during the progress of a cause. Many great judges have at first forgotten that 'Tis excellent to have a giant's strength; but it is tyrannous to use it like a giant,' and that great mental acuteness often generates a 'habit of interruption by frequent questions, and of intimating a decided opinion during the progress of an argument.' It is to be remarked of Mr Brewster, when at the bar, that it was almost impossible to take him by surprise. His great learning was always ready at his command, and any interruption from the bench or bar seemed only to give him additional strength. His very style was indicative of his great powers, and his arguments wore the appearance of expositions of the law, drawn, for the time, from his great resources, rather than of systematic preparation for the particular occasion. Hence he never experienced any inconvenience from any sudden derangement of a line of argument elaborately arranged." We will only add, in reference to the feeling of disappointment above referred to, that the condition of the Chancery bar at the time of his appointment was well calculated to produce something like an exhibition of petulance or impatience on the part of a man of Mr Brewster's calibre. Its ranks had been so thinned by the promotion, or the absence on parliamentary duties, of some of its most eminent members, that a considerable share of the Equity business devolved on men who never could attain the rank of even respectable mediocrities. Men of this class, no doubt, felt it highly inconvenient to be "hauled up" occasionally, and were only too glad to attribute their own discomfiture to the hastiness of the Lord-Justice of Appeal. The platitudes of counsel become simply intolerable in Appeal cases. The issues between the parties are reduced to writing; the cases have been previously argued, and decided upon, and there is ample time for preparation; so that it is utterly absurd to expect the same amount of indulgent forbearance from the bench to the bar that is usually extended to counsel when arguing a case brought for the first time before the consideration of a court.

In concluding this brief and imperfect sketch of Mr Brewster, the first on our list of living celebrities, we are forced to repeat the remark, of which we have been recently reminded, that "though dead men are supposed to tell no tales, their memoirs are generally more amply provided for than those of the living." Most public men, it is to be presumed, would rather wait for the benefit of the "*nil de mortuis*" doctrine; and memoir writers are released from all feelings of reserve and delicacy in descanting upon departed virtues, as well as from all terrors of consequences, if they should happen to defame the "noble dead." Envy, too, is supposed to be buried with them on true philosophic principles:—

"Urit enim fulgore suo, qui pręgravat artes  
Infra sepositas; extinctus amabitur idem."

Mr Brewster married in 1819 Miss Gray, daughter of Robert Gray, Esq. of Upton, county Carlow.

## BARON MARTIN.

BORN 1801.

SIR SAMUEL MARTIN, one of the present Barons of the English Court of Exchequer, is second son of the late Samuel Martin, Esq., of Calmore, in the county of Londonderry, and of Arabella his wife. Born on September 3, 1801, he received his education at Trinity College, Dublin, where he obtained the degrees of A.B., 1821; A.M., Nov. 1832; and LL.D., Sept. 2, 1857.

He at first entered as a student in Gray's Inn in May 1821, but in December 1826 he transferred himself to the Middle Temple, by which society he was admitted to the bar on January 29, 1830, having in the interim practised for two years as a special pleader. He joined the Northern Circuit, where he speedily won a high reputation by the ability he exhibited in the conduct of his cases. In thirteen years he acquired such a leading position on Circuit and in London that he was promoted to the rank of Queen's Counsel in 1843. At the general election of 1847 he was elected on Liberal principles M.P. for Pontefract. That borough he represented till 1850, when he was promoted to the Bench of the Exchequer, receiving the usual honour of knighthood.

In 1838 the Baron married Frances, the eldest daughter of Sir Frederick Pollock, afterwards the Lord Chief Baron of the Exchequer. His reputation for high legal attainments and judicial excellence stands deservedly high.

In alluding to Baron Martin, an eminent English writer \* makes the following remarks:—"The fairness with which judicial honours are allotted, and the absence of all national prejudice in their distribution, is exemplified in the fact that in each of the three courts there is a judge who honestly prides himself in being a native of our sister isle. Sir Samuel Martin, one of the present Barons of the Exchequer, is not only of Irish extraction, but was also born and educated in Ireland, and by his learning and acquirements encourages the expectation that many another representative of his country will be welcomed on the bench." The other judges referred to were Sir William Shee, Justice of the Queen's Bench, and Sir James J. S. Willes, Justice of the Common Pleas, both since dead. The writer might have also referred to Sir Henry O. Keating, Justice of the Common Pleas, who is still alive. It was not till some years after the above remarks were published, in 1864, that Lord Cairns became Lord-Justice of the Court of Appeal in Chancery in 1866, and in March 1868 Lord-Chancellor. He had filled the office of Solicitor-General in 1858-9, and Attorney-General in 1866.

\* Mr Foss, F.S.A., of the Inner Temple, author of "The Judges of England."

## THE HONOURABLE SIR HENRY SINGER KEATING.

BORN 1804.

SIR HENRY SINGER KEATING, one of the present judges of the Common Pleas, was born in Dublin in 1804. He is the third son of the late Lieut.-General Sir H. S. Keating, K.C.B., who highly distinguished himself in the West Indies and other parts of the world, and of the daughter of James Singer, Esq., of Annadale, in the county of Dublin. He was educated at Trinity College, Dublin, where he graduated A.B. 1828, and A.M. 1832. He was called to the bar by the Inner Temple in 1832, and in 1834 joined the Oxford Circuit, and soon obtaining a first-rate practice, he became a leader after Serjeant Talfourd's elevation to the bench in 1849. In the same year he obtained a silk gown, and was elected a Bencher of the Inner Temple. He edited, jointly with his distinguished fellow-countryman, Mr Willes (afterwards Mr Justice Willes), the well-known legal work, "Smith's Leading Cases," which will ever remain a monument of their industry and legal attainments. The first edition of that celebrated work appeared in 1849. It has since gone through several editions. In 1852 he entered Parliament as member for Reading, on Liberal principles. Supporting the Liberal party in the House, he was appointed Solicitor-General in May 1857, and knighted during the first ministry of Lord Palmerston, on whose defeat in the following February he retired, but was replaced in June 1859 on the return of Lord Palmerston to power. Only half a year had elapsed before he succeeded Mr Justice Crowder as Judge of the Common Pleas, in which Court he has sat from December 14, 1859, till the present time. Amongst the measures of legal reform with which his name is associated, the one best known to the general public, if not the most useful, was the Bills of Exchange Act, 18 & 19 Vict. c. 67, enabling the holders of bills and notes, not more than six months overdue, to get judgment summarily when there were no legal grounds of defence.

He married in 1843 a daughter of Major-General Evans of the Artillery.

## THE RIGHT HONOURABLE JOSEPH NAPIER, BART, LL.D.

BORN 1804.

THE Right Hon. Joseph Napier, a younger son of William Napier, Esq., a descendant of the Merchiston branch of the Napier family, by the daughter of Samuel M'Naghten, Esq., was born in Belfast on the 26th of December 1804. At an early age he was placed under the private tuition of the great dramatist James Sheridan Knowles, who afterwards was master of the department for teaching the English language in the Belfast Academical Institution, in which young Napier became a pupil, and continued for several years under the care of



that accomplished preceptor. To the training which he thus underwent, during this important portion of his educational career, may be justly ascribed that purity of taste and true appreciation of our noble English literature for which all through his after-life he has been so pre-eminently distinguished. He next studied classics under Dr O'Beirne, afterwards master of the Royal School of Enniskillen, and subsequently under the Rev. William Neilson, by whom he was prepared for Trinity College. He also enjoyed the advantage of studying mathematics under the special care of the late Dr Thomson of Belfast, the father of the celebrated professor in the University of Cambridge. In November 1820 he entered Trinity College, Dublin, under Dr Singer, late Bishop of Meath. During his undergraduate course, while he attained a high reputation for classical scholarship, he was more especially distinguished as a mathematician. Before the termination of his first year, he published a demonstration of the Binomial Theorem, which brought him under the early and favourable notice of his fellow-students and some of the leading fellows of the College. Among the latter was the well-known Mr Charles Boyton, whose influence was destined to have such a marked effect on the political views of the young student. In 1825 he graduated as Bachelor of Arts, and his first intention was to read for a fellowship—a distinction to which he was fully justified in aspiring by the success of his undergraduate career. After prosecuting his studies for this purpose for some time until after he became a resident master, he was induced to abandon his original intentions, and apply himself to study for the bar. During the intervals of repose from severer labours, he cultivated his taste for polite literature, and was an occasional contributor to some of the principal periodicals of the day. While residing within the college, he formed an intimate acquaintance with the late Dr William Cooke Taylor, Lord Chief-Justice Whiteside, and other associates, with the aid of whom Napier energetically set to work in the endeavour to revive the College Historical Society, and their joint efforts succeeded so far as establishing an Oratorical Society without the walls of the college. Looking now at the long roll of illustrious names which have since that time been honourably associated with the revived College Historical Society and have shed a bright lustre on their country and its university, we believe there is not one of the many brilliant triumphs of their lives to which those two great living Irishmen can now look back with more justifiable feelings of pride.

In 1828, while yet a student of law, Mr Napier made his first essay in the arena of politics. In this year the Brunswick Constitutional Club was formed, of which Mr Boyton was one of the leading members. The establishment of local clubs throughout the country soon followed; and on the 28th of October, a meeting of the graduates of the university was held at Morrison's Great Rooms, for the purpose of forming a College Club. On this occasion, Mr Napier, in a speech of great promise, reviewed the early constitution of England and the Protestant institutions of the country, from the period of the Reformation, and contended with great force and eloquence that the safety and welfare of the kingdom depended on maintaining in its integrity

the constitution as then established. In adopting and warmly urging these views, he was only following the leaders of the great body of the Irish nobility and gentry. It was not, therefore, to be expected that the young orator, in his first essay on the platform, should have been more temperate in his tone than the majority of his associates of double his age and experience. The inspirations of Mr Boyton—a politician not of the mildest type—working on a youthful mind, naturally energetic and impulsive, the violent agitations of party strife, and the traditions of a long-established ascendancy, should be all taken into account in passing judgment on his first appearance in the great struggle of that eventful period. We believe, however, that the part which Mr Napier then took in opposition to the Catholic Emancipation will never be forgiven or forgotten by many of his countrymen. That he has since that exciting period considerably toned down in his political views, whether from choice or necessity, there can be no reason to doubt; but the hostility which he then excited has not altogether subsided, and, like many other great public men, he has been often most unfairly assailed, and his motives and character have been grossly misrepresented and traduced. Shortly previous to this time, Mr Napier, as before stated, had abandoned his intention of reading for a fellowship, and turned his attention to the bar. He went to London with this object, and commenced his legal studies under Mr Amos, the professor of Common Law at the London University, and the author of many learned books, and the successor of Macaulay in India. He afterwards became a pupil of the late Sir John Patteson, the most eminent special pleader and rising lawyer of the day, and having gained an accurate knowledge of the then abstruse science of pleading, he commenced to practise in London as a special pleader, soon after the elevation of Mr Patteson to the King's Bench in 1830. Yielding to the urgent solicitations of his friends at home, he returned to Ireland in 1831, and was called to the bar in the Easter Term of that year. The following year he joined the North-East Circuit, and speedily got into good practice, establishing for himself the reputation of a sound lawyer and an accurate pleader. In those days when venues were local, and not transitory as at the present time, a much larger amount of business was done on the several circuits, and a good connection once gained on circuit was sure to bring a large business in Dublin. Accordingly we find Mr Napier soon taking a foremost place among the rising juniors of the metropolis. A good deal of his success no doubt was due to the training he received under Mr Patteson in the technical niceties of special pleading. His attachment, however, to "the mysterious art," of which he was such an accomplished master, was not so blind as to prevent him, in after years, from co-operating with Mr Whiteside in sweeping away the whole system, and introducing in its stead a more simple mode of procedure in the superior Courts of Common Law in Ireland. But long before this period we find him in the character of a reformer, earnestly engaged in introducing an improved system of legal education in Ireland. In 1841 Mr Napier, with some other members of the bar, originated the Law Institute, and so laid the foundation of that more enlightened provision for legal

education which has since been made, and of which the good fruits are now so apparent. At the period we speak of, when Mr Napier and his friends took up the subject, all that was required for admission to the bar was the production of certificates of having kept a certain number of terms in England and Ireland. Those terms were kept by eating five dinners at least out of seven paid for, in each term—students of the universities were, by a special grace, allowed to keep their terms on eating three—a privilege for which they never appeared to have been sufficiently grateful, as they generally took the full value of their money by eating seven dinners in each term, unless, indeed, prevented by illness or other unavoidable causes. There were no lectures, no examinations, no test of qualification before admission to the bar. But this state of things no longer exists, and to the exertions of Mr Napier and his associates in founding the Law Institute in 1841 may justly be ascribed the institution of the present admirable system of legal education in Ireland.

The dinner-eating probation, it is true, still survives, and, so far as Ireland is concerned, there appears to be no great hardship in retaining it; but it is not easy to perceive the advantages which candidates for the Irish bar derive from the mere luxury of feasting periodically in the dining halls of the Temple or the other English Inns of Court, "pursuant to the provisions of the statute in such cases made and provided." Some attempts, no doubt, have been made to redress this truly Irish grievance. The most recent, we believe, was made in 1872, when Sir Coleman O'Loughlen introduced a bill to remove this apparent injustice. But the Hon. Society of the Benchers of the King's Inns immediately convened a special meeting to consider what action they should take upon the matter. Of the secret deliberations of that august conclave we can give no account, save that they decided on calling on Sir Coleman to withdraw his bill, and the bill was accordingly withdrawn. Whether Sir Joseph Napier was present during the discussion of that momentous question we are also unable to say, though we confess we should like to know his opinions on the subject. There seems to be only one argument in favour of leaving things as they are, namely, that by the proposed change, the Irish students would be deprived of the privilege of competing for certain studentships at present open to them while members of the English Inns of Court. This, no doubt, appears at first sight a most important consideration, but there are so many causes to discourage Irish students from entering the lists with English competitors, that the privilege has been seldom taken advantage of. It is only just, however, to state that in nearly every instance in which Irish students did compete, their efforts were rewarded with success. When speaking of the Law Institute of 1841, we omitted to state that Mr Napier, Mr Whiteside, and others who took an active part in its educational objects, delivered gratuitously a series of lectures on several branches of the law, which were highly popular and instructive, and mainly contributed to the success of the movement from which such important benefits have since accrued to the bar and the public at large.

In 1843 Mr Napier was first brought into notice in England by his arguments at the bar of the House of Lords in the case of "The Queen



*v. Gray.*" In that case, which was tried before Mr Justice Perrin at the spring assizes of that year at Monaghan, the prisoner, Samuel Gray, was indicted for firing a pistol at one James Cunningham, with intent to kill him, or do him grievous bodily harm. The offence was declared, by the 1st Victoria, cap. 85, to be a felony, and punishable with transportation for life, or for any term not less than fifteen years, or imprisonment for any term not exceeding three years. When the jury panel was called over, Mr Napier and Mr Whiteside, who were assigned by the judge to defend Gray, challenged one of the jurors peremptorily, and the Crown demurred to the challenge, relying on the law being, as had been more than once decided by the Irish judges, that in cases of capital felony alone such a right existed. The challenge was disallowed, and the trial proceeded and terminated in a conviction. The question so raised at the trial was put on the record, and subsequently argued by Mr Napier and Mr Whiteside before the Queen's Bench. The Court ruled in favour of the Crown, Mr Justice Perrin alone dissenting. The prisoner's counsel advised an appeal to the House of Lords, and after an elaborate argument, in which the law staff of both countries were engaged in upholding the decision in favour of the Crown, Mr Napier, single handed, succeeded in reversing the decision of the Court below. The argument of Mr Napier was spoken of in the most favourable terms by high judicial persons and legal authorities in London.

About the same time, the case of "*The Queen v. O'Connell and others*" was brought on a writ of error before the House of Lords, Mr Napier appearing as one of the counsel for the Crown. It appears that, at the first, retainers from the Crown and the traversers were sent to his house in Dublin on the same day, and forwarded by the same mail to him at Belfast, where he then was; but while the retainer for the Crown arrived in due course of post, that of the traversers, which was made up in a parcel, did not reach Mr Napier for many hours later, and after Mr Napier had accepted the retainer for the Crown, and posted his acceptance in a letter to the Crown Solicitor. A discussion thereupon arose between the respective agents of both parties, and ultimately the matter was referred to Mr Holmes, the head of the bar, who decided that Mr Napier was for the time the property of the Crown.

On his return to Ireland, after the decision of these two celebrated cases, he received a silk gown from Sir Edward Sugden, then Lord Chancellor of Ireland, and at once took a place amongst the leading Common Law practitioners. In the following year (1844) he again appeared before the House of Lords, in the great case of "*Dungannon v. Smith*," and completely established his fame by his masterly argument, which called forth the highest eulogiums from the Lord Chancellor (Lord Lyndhurst), Lord Brougham, and Lord Campbell; among the judges in attendance on the House, Mr Baron Parke (afterwards Lord Wensleydale) and Mr Justice Patteson adopted the argument of Mr Napier. The decision of the House was adverse to his noble client, but Mr Napier had the satisfaction of receiving the highest acknowledgment from Lord Dungannon, as well as from those who were among the best qualified to give an opinion on the subject. In a letter from Lord Dungannon, that nobleman writes: "Mr T. told me that Baron

Parke had stated to him on the circuit, that the argument was one of the most able and masterly he had ever listened to; and such, he added, was the opinion of Lord Lyndhurst." Another eminent person observed on the same subject, "I certainly never read a more able and intellectual appeal, showing great talent and acuteness, with a perfect knowledge of his subject; and his arguments are powerfully backed by cases which must have occupied immense labour and industry to have collected together; moreover, his language is really classically beautiful." He also received the most flattering tribute from Mr Holmes, the leader of his own circuit, and the father of the bar.

Mr Napier's professional eminence was so fully established in England that he was frequently engaged in Irish appeals to the House of Lords, and he always commanded the marked attention of that high tribunal.

Mr Napier now began to turn his attention to the House of Commons, and after the dissolution of Parliament in 1847, he contested the representation of the University with Mr Shaw. Though on that occasion unsuccessful, he was in the following year, upon the resignation of Mr Shaw, returned without opposition.

Early in March 1848 Mr Napier took his seat in the House of Commons. On the 14th he spoke briefly on the debate upon the punishment by death, and in a few days afterwards upon the proposition for extending the income tax to Ireland,—a measure which he strenuously opposed. But his first speech of any importance was on Mr Sharman-Crawford's "Outgoing Tenants' Bill." His next great speech was on the debate on the relief of the distress in Ireland, which took place early in the ensuing year. After reviewing the condition of Ireland from the time of the Union, in a most exhaustive and telling speech, he continued:—"Upon the passing of the Emancipation Act, what remained for the Government and Parliament to do, but to take the social evils of that unhappy country into their serious consideration, and to apply a remedy for the correction of them? They were now paying the penalty of their long-neglected duty. Instead of taking the course which was so clearly pointed out to them, they made Ireland the battle-field of party. A system of policy was pursued, fomenting discord and division; it curdled the charity of human hearts, wasted the energies, and augmented the social miseries of the people. Let them, however, now learn wisdom from the experience of the past. He admitted there was nothing more unwise towards Ireland than to hold out to her the prospect of removing all her evils by legislation,—evils which no legislation of itself could remedy. He often remarked that this induced a class of people to look forward to the most romantic benefits from legislation. In the face of all the evils that afflicted Ireland, there was not one measure of a statesman-like character proposed to save the country. He had certainly supported with all his heart the Government in the measures they had brought forward to secure that peace and repose. Let them have some measures for promoting the employment of the people. Society in Ireland—some portion of it at least—must be reconstructed; and he firmly believed that there never was a nobler opportunity for doing so, and placing it upon a permanent and peaceful footing, than the present."

It would be impossible, within the narrow limits allowed us in these pages, to notice, even in the most cursory manner, the many very able and admirable speeches which he delivered during his brilliant Parliamentary career. His industry and resources were perfectly marvellous. In every important debate he took a prominent part, and in every instance he appeared to be thoroughly master of his subject, and never failed to command the marked attention of the House. Out of such a multitude it is very difficult to make a selection; we venture, however, to give a few further specimens of his great debating powers. In the debate on the Habeas Corpus Suspension Act, Mr Roche, one of the members for Cork, asserted of the Protestant Establishment, that "that gross and intolerable monopoly stood at the head and front of Ireland's grievances." Mr Napier, though he had not intended to have spoken on the matter before the House, thus replied, "But, after the challenge made that night with regard to the Irish Established Church by the hon. member for Cork, he felt called upon, as one of the representatives of that Church, to rise and meet the challenge with as much boldness and firmness as it had been given. He never wished to be ostentatious of his religion, but he trusted he should never be the man to be ashamed of it. He was ready to meet the challenge against the Church upon every ground—upon the ground of its antiquity; the truth of its doctrine, as being conformable with Scripture; the correctness of its discipline; the unbroken succession of its spiritual leaders from the earlier ages down to the present times; all its long catalogue of bishops, many eminent for their piety and their learning, could trace their descent from the days of St Patrick. Mr Napier upheld the creed of that Church, on which his humble but immortal hope depended. He admitted that others differed from him; but let them show him one point of toleration upon which their liberty was pressed, and he would help to remove their ground of complaint. Nine-tenths of the property of Ireland belonged to Protestants, and support of the Church was a tax on property; no personal tax was exacted in Ireland from any man to pay for a religion of which he did not approve, save and except, indeed, so far as funds were regularly taken from the national exchequer to keep up Maynooth, and for other similar matters. There was a charge on the property, and those who took that property surely ought not to refuse to pay their creditor what they had engaged to pay him, merely because he differed in religion. But he would go from the south to the north of Ireland, and trace in all its territorial extension the benefits and advantages of Protestantism, which contained the germs of everything that could make a people prosper for time and for eternity."

The important question of the rate-in-aid came before the House in March 1849. It involved a principle of great importance to many parts of Ireland—namely, the justice of making the solvent unions bear the defalcations of those that were insolvent. Against this proposition Mr Napier contended in a speech of great research and remarkable ability. He insisted that neither the law of Elizabeth nor that of 1838 recognised the principle of responsibility beyond the limits of the particular union,—much less could the Poor-Law Extension Act be considered to do so. He urged two main objections to the applicability of



the measure,—first, that it was unjust ; and, secondly, that it was unwise. “ Was it wise,” he asked, “ or generous for this great country, whose resources and power enabled it to throw down the gauntlet to the rest of the world in defiance, to fasten upon a few parties in Ireland the burden of this rate, who had already been almost exclusively taxed under the Poor-Law for the support of the destitute in their island, which was an integral part of the British Empire ? The calamity under which Ireland was suffering was providential, and the charge consequent upon relieving her from it ought to be borne by the kingdom generally.

. . . . . Upon a matter of this description and magnitude, they ought to take a large and comprehensive, as well as wise and generous view of the policy to be pursued. There were three things Ireland wanted in order to promote her welfare. The first was repose, a cessation of political differences and angry feelings and disputes ; secondly, capital ; thirdly, the exertion of private individuals for the purpose of agricultural improvement. Any policy that would insure even one of those three things ought, in his opinion, to meet with favour on the part of the House ; and any course of action which was likely to have a contrary effect ought to be discouraged. Now, let him for a moment test these three subjects by the feeling of the people of Ireland, and a large proportion of them were perfectly capable of forming a judgment upon them. The House must be already aware that the majority of the Irish people had expressed opinions unfavourable to the measure, and that in some instances threats had been held out with respect to obedience to the law. His own hope was, that if the bill should pass, its provisions would be quietly obeyed ; but, at the same time, he was of opinion that obedience might be purchased at a very dear price. From the opinion which was known to prevail upon the subject of the measure, he thought that it would tend to weaken the affections of the loyal portion of the people of Ireland towards England, and that it would engender feelings of animosity towards British legislation. . . . .

With regard to the question of capital, if it was considered advisable to make advances of the public money, could they not be made under ordinary circumstances, and not by diminishing the shattered remnant of the capital which remained in the country ? The constant system of taxing property in Ireland it was that deterred men who had capital from employing it, and thus private enterprise was paralysed. . . . .

With regard to the financial argument in respect of Ireland, if it were the real sound feeling of England—not that unhealthy feeling which induced a desire to shift a burden from their own to other shoulders—if the sound feeling of this country were that Ireland ought to bear any additional taxation, he would not put forward a mere financial argument against such a feeling, because he was very anxious that there should be good feeling on both sides ; ill-feeling on either or both sides could only be injurious to both countries ; therefore, he thought it both unwise and ungenerous to press such a measure. There ought, in common justice, either to be local rating and local taxation, or, that failing, then the appeal for aid ought to be made to the imperial treasury.”

Sir Robert Peel followed Mr Napier, and spoke in terms of high eulogy of his speech—an eulogy all the more valuable, as the right

honourable baronet was always chary of his commendation. Mr Napier was congratulated on every side; and as he passed through the lobby of the House, shortly afterwards, he met Sir James Graham, who said, "I congratulate you on your most able and eloquent speech—it was worthy of the best days of old Ireland, the days of Plunket eloquence."<sup>1</sup>

Mr Napier opposed the measure introduced by Lord John Russell in 1849 for the admission of Jews into the Legislature. He also spoke in the debate on the ministerial measure for legislation of marriage with a deceased wife's sister, and gave it his most strenuous opposition. The next important measure which he most ably opposed was the bill introduced by Lord John Russell in May 1850 for the abolition of the Lord-Lieutenancy of Ireland. He also vigorously resisted Mr Heywood's motion for a commission to inquire into the state of Oxford, Cambridge, and Dublin Universities. On the sudden and melancholy death of Sir Robert Peel in 1850, Mr Napier paid an eloquent tribute of respect to the lamented baronet.

At the opening of the year 1851, the Papal aggression ferment was at its height. Lord John Russell, on the 7th of February, moved for leave to bring in a bill (the Ecclesiastical Titles Bill) for counteracting the aggressive encroachments of the Church of Rome. Mr Napier, with other eminent men, supported that measure, and his speech on that debate showed great research and ability.

Upon the sudden resignation of Lord John Russell in the month of March 1852, and the accession of Lord Derby, Mr Napier was appointed Attorney-General for Ireland—a post which he held till the defeat of the Derby Ministry in December of the same year. One of the most pressing questions at this time was the settlement of the relations between landlord and tenant in Ireland. Mr Napier at once addressed himself to this most difficult and critical question. He accordingly introduced for this purpose four land bills:—1st, a Land Improvement Bill; 2nd, a Leasing Power Bill; 3rd, a Tenant's Improvement Compensation Bill; and, 4th, a Landlord and Tenant Law Amendment Bill. It would be useless now to comment on their scope and merits. On so delicate and vexed a question, it was a bold attempt on Mr Napier's part to endeavour to grapple with the difficulty. And whatever opinions may have been expressed in approval or dissent, it is only just to give Mr Napier credit for the manly and honest manner in which he laboured to make a satisfactory adjustment of the relations between the owners and occupiers of land in Ireland. The bills were referred to a committee, and it is now needless to discuss their merits and demerits. The recent Landlord and Tenant (Ireland) Act has attempted to remove the grievances, real or imaginary, of the Irish occupiers, and although it has been in operation now for some time, the opinions as to its success or failure are so various and conflicting that it is not easy to form a correct estimate on the subject.

When Lord Derby resigned the seals of office at the close of 1852, Mr Napier was remitted to non-official life. We find him next in his place in Parliament, taking part in all the important discussions of the day. Among the principal measures brought forward by the

<sup>1</sup> Dublin University Magazine for 1853, p. 312.

Government were the "Canadian Reserves Bill," and the "Conventual Establishment Bill." The former measure he opposed vigorously, but ineffectually; of the latter he disapproved only on the grounds of the inadequacy of its provisions. In the Fermoy Peerage Case (1856) he was selected by the Committee of Privileges in the House of Lords as their Counsel, the Attorney-General having declined to appear, in his character of *ex-officio* adviser to the Committee of Privileges, as officially he had approved of the Patent of Peerage. At the general election of 1857, Mr Napier was again returned for Dublin University, with his old colleague, Mr George Alexander Hamilton—Mr Lawson, afterwards a Justice of the Common Pleas, having unsuccessfully opposed him.

On the sudden breaking-up of Lord Palmerston's Ministry in March 1858, Lord Derby returned to power, and Mr Napier was raised to the highest office in his profession, being appointed Lord Chancellor of Ireland. It appears that the arrangement first completed by the Government was to the effect that Mr Blackburne should be Lord Chancellor, and Mr Napier should take his place as Lord Justice of Appeal. Mr Blackburne, however, declined to do on that occasion what he consented to do in Lord Derby's third administration, and Mr Napier, it is said, much against his wishes, accepted the seals, which he held until the resignation of the Derby Ministry in 1859. On the first day of Easter Term (15th April 1858) Mr Napier took his seat as Lord Chancellor of Ireland. On the manner in which he discharged the duties of his high office we do not intend to make any comment, further than to say that, though short his tenure of it, he acquitted himself in every respect in a manner worthy of his antecedent career. To attempt any minute criticism of the numerous decisions which he pronounced in that period would be impertinent, if not absurd. They are all to be found collected in a volume entitled "*Drury's Cases in Chancery*" *temp.* Napier. Legal critics must judge for themselves; we believe they exhibit evidence of extraordinary industry, research, and learning. There were only two appeals from his decisions—of these one was affirmed and one reversed.

In the year 1858, Mr Napier (then Lord Chancellor) was elected President of the department of Jurisprudence of the Social Science Association, and was to have delivered the opening address in that section at the meeting held at Liverpool in the October of that year. He was, however, unable to attend—the Royal Warrant to sanction his absence from Ireland not having arrived in sufficient time,—and his address was read by Lord John Russell, who expressed his regret for the Chancellor's absence, and the loss which "they would all feel during the week of so able a man."

In 1861, Mr Napier was again selected to preside over the same department at the Social Science meeting held in that year in Dublin. His addresses on both of these occasions evince great learning and re-research, and fully sustain Mr Napier's reputation as an able and zealous law reformer.<sup>1</sup>

<sup>1</sup> These addresses will be found in the volumes of the proceedings of the Association for those years. The addresses delivered at the Liverpool meeting are published in a cheap pamphlet form by Partridge & Co., Paternoster Row, London.



We can only refer by name to a few of the other numerous literary performances of Mr Napier. Lectures :—"the increase of Knowledge" (1854); "Richard Baxter and his Times" (1855); "Edmund Burke" (1862); "W. Bedell" (1863); "Opening Address at the beginning of the 2nd session of the afternoon lectures on Literature and Art" (1863); "Old Letters" (afternoon lectures 1863); introduction to "Seven Answers to the Seven Essays and Reviews," by the Rev. John Nash Griffin; the "Facts and Fallacies of the Sabbath Question" (1856); "Things Old and New" (a lecture before the Church of England Young Men's Society, 1856); a pamphlet entitled "The Education Question" (1860); "Addresses on the Church in relation to the State in Ireland" (1866); "Answer to the Speech of the Dean of St Paul's against subscription to the Articles of Religion" (1865); "England or Rome, which shall govern Ireland, a reply to the letter of Lord Monteaigle" (1851); "Labour and Knowledge," "Labour and Rest" (two lectures, 1859); "Lectures on Butler's Analogy, before the Young Men's Christian Association, Dublin" (1864); "Butler's Argument on Miracles explained and defended, with observations on Hume, Powell, and Mill" (1863), and many others.

Sir Joseph Napier also rendered invaluable services in the work of reconstruction of the Irish Church. In 1873 he wrote a pamphlet on the proposed changes in the Ordinal, his arguments against them being able and conclusive.

The following are among the numerous distinctions that have been conferred upon him :—The honorary degree of LL.D. of Dublin University, and D.C.L. of Oxford. He was chosen President of the College Historical Society in 1856. In 1866 he was offered the high office of Lord Justiceship of Appeal, but declined it. He was created a baronet by Lord Derby, 9th April 1867, and was appointed Vice-Chancellor of the University of Dublin in the October of the same year. In 1868 he was made a Privy Councillor of Great Britain, and was subsequently in the same year constituted a member of the Judicial Committee of the Council.

Sir Joseph married, 20th August 1831, Charity, second daughter of John Grace, Esq. of Dublin—a member of the ancient family of Grace. At the centenary dinner of the Oxford and Cambridge Unions he was invited to represent the Historical Society of the University of Dublin at the banquet, and was the guest of the Vice-Chancellor of the University of Oxford.

#### THE RIGHT HON. RICHARD KEATINGE.

BORN A.D. 1793.

THE Right Hon. Richard Keatinge, second son of the late Maurice Keatinge, a member of the Irish Bar, was born in Dublin in 1793. He married in 1814 the third daughter of the late Samuel Joseph, Esq., of Bedford Square, London. He was educated at Trinity College, Dublin, where he graduated A.B., 1810,—LL.B. and LL.D., 1818. He was called to the Irish Bar in 1813; appointed King's Counsel,

1835; Queen's Serjeant, 1842. He was raised to the Bench in 1843, as Judge of the Prerogative Court in Ireland, was sworn a Privy Councillor in the following month, and elected a Bencher of the King's Inns, Dublin, in 1843. He was Judge of the Probate Court in Ireland from January 1858 to October 1868. He never held a seat in Parliament.

During the fifteen years he presided over the Prerogative Court he maintained the high character he won at the bar; but it is chiefly in connection with the Court of Probate that his name is most favourably known. There are not, perhaps, to be found in the history of legal reform instances of measures more sweeping in their character, or more productive of beneficial results, than those introduced into England and Ireland by the Probate Acts of 1858. The provisions of the Irish Act were identical with those of the English, *mutatis mutandis*. But the difficulty of administering the new law was far greater in Ireland, owing to the disturbing elements of religious prejudices excited in every case, involving a question of undue influence, alleged to have been exercised by persons in ecclesiastical positions. It is, however, creditable to the independent spirit of the jurors called upon to serve in the Irish Court of Probate in cases of this nature, that they almost without an exception returned verdicts satisfactory, not only to the judge, but to all classes of the community having no interest in the issues except the furtherance of justice. To the judicious but fearless manner in which the judge discharged his duties are mainly to be attributed these satisfactory results. He possessed, perhaps in a higher degree than any of the ablest or most experienced of the Common Law Judges, the power of presenting the most complicated cases in the clearest and most exhaustive manner to a jury. But while he fully reviewed the evidence on both sides in all its bearings, he never hesitated to indicate his own impression. As a natural consequence of this tendency, it was only to be expected that his charges should have been sometimes censured by disappointed suitors and their counsel as too one-sided, and usurping the proper functions of the jury. This, however, is an objection which has been made at some time or other against the ablest Judges of the benches of England and Ireland; but there are occasions when it seems proper that a judge should give a decided opinion on questions of fact, rather than add to the bewilderment of a jury by a vague and uncertain charge.

Judge Keatinge's knowledge of the Law of Evidence was only surpassed by his knowledge of Testamentary Law; and it always seemed hopeless to move for a new trial on the ground of the improper reception or rejection of evidence, or of misdirection on questions of law by this learned Judge. But it was not alone as a judge presiding at a trial before a jury that he gained his high reputation—in contentious business of every kind his knowledge of Probate Law and practice was equally remarkable.

When Lord Derby's Administrations of 1858 and 1866 were in course of formation, Judge Keatinge was confidently named for the Chancellorship; and there can be no doubt that his appointment to the highest office in the profession would have been hailed with the greatest satisfaction on the part of the legal and general public.



THE RIGHT HON. DAVID RICHARD PIGOT, LORD CHIEF BARON OF  
THE COURT OF EXCHEQUER IN IRELAND.

BORN 1796—DIED 1873.

THE Right Hon. David Richard Pigot, son of a physician at Kilworth, county Cork, was born in 1796. He was educated at Trinity College, Dublin, and took the degrees of A.B. in 1819, and A.M. in 1832, and was called to the Irish bar in 1826, and made King's Counsel in 1835. He was Solicitor-General for Ireland in 1839, Attorney-General from 1840 till September 1841, and was appointed Chief Baron of the Exchequer in Ireland in 1846. He sat for Clonmel in the Liberal interest from 1839 till 1846. He was appointed one of the visitors of Maynooth College in 1845. He was sworn a Privy Councillor on becoming Attorney-General for Ireland in 1840. He became a member of the Senate of the Queen's University in Ireland, and a Commissioner of National Education. He was elected a Benchet of the Hon. Society of King's Inns in 1839, and elevated to the Bench as Chief Baron in 1846, in the room of Chief Baron Brady, appointed Lord-Chancellor of Ireland.

Mr Pigot, as Solicitor-General for Ireland and member for Clonmel, entered Parliament at a very stormy period in the history of Irish politics. The murder of Lord Norbury in January of the year 1841 had produced the greatest excitement among the nobility and landed gentry throughout the country. On the assembling of Parliament, Mr Shaw, one of the members for Dublin University, brought forward his celebrated motion for returns on the criminal statistics of Ireland. On this debate the Irish Solicitor-General made his first appearance, and created a most favourable impression in the House. He next took part in the adjourned debate on the same motion, which was renewed after the recess with increased vigour on both sides. On this occasion Mr Pigot added considerably to his reputation as a debater, and as an able representative of the Government. All through his subsequent Parliamentary career he took part in all the principal debates on Irish questions, and carried many important measures of reform, affecting the administration of the law in Ireland. Few Irish law officers have been more fortunate in gaining the respect and high opinion of all parties in the House of Commons, and his elevation to the Bench on Lord Russell's return to power in 1846 was justly considered the well-earned reward of his services to the Government as Solicitor and Attorney-General, and to his party as a private member in the interval between the end of the year 1841, when he resigned the post of Attorney-General, and the end of the year 1846, when he was created Lord Chief Baron.

From that period till his death on the 22nd of December 1873, he maintained the highest reputation as a learned and upright judge. For sound legal erudition his name stands deservedly high, both among his Irish brethren and the English Judges and Law Lords.

As a *Nisi-Prius* Judge, the Chief Baron was accused of overscrupulousness in taking down the testimony of witnesses: but after a



judicial career of twenty-seven years, it may be said that an extreme anxiety to do justice was the only fault that could be laid to his charge. As an amiable and accomplished gentleman, there were few men more highly esteemed. He is interred at Kilworth, his native place.

## BARON FITZGERALD.

BORN A.D. 1805.

THE Hon. Francis Alexander Fitzgerald, second Baron of the Court of Exchequer in Ireland, was the second son of Maurice Fitzgerald, Esq., M.D. He was born in 1805, and received his early education at Middleton School, in the county Cork. After a brilliant undergraduate career he took the degree of A.B. in Trinity College, Dublin, in 1827, and of A.M. in 1832. He was called to the bar in Ireland in 1834; appointed a Queen's Counsel in 1849; and a Bencher of the King's Inns, Dublin, 1857. He was raised to the Bench in 1859 as fourth Baron of the Court of Exchequer.

Mr Fitzgerald while at school gave early indications of those brilliant abilities which secured his fame and advancement in after life. His brother, the present Bishop of Killaloe, so favourably known in the literary world, was also educated at Middleton, and Mr Turpin, the master of that celebrated school, and one of the most distinguished scholars of the day, truly foretold the destinies of the two brothers when he declared that the elder should be a bishop, and the younger a judge. Having carried off the highest honours in College, Mr Fitzgerald graduated in 1827, and commenced to study for the bar. Soon after his admission in 1834, he selected the Equity Bar, and was a constant attendant in the Court of Chancery and the Rolls. It was some time, however, before his abilities became known, and it has been said that he seriously determined at one time to abandon the profession in disgust. But wiser counsels prevailed, and he persevered until he got the wished-for opportunity of proving his extraordinary capacity as a lawyer. In a very few years afterwards his abilities were publicly recognised, and his reputation for industry and learning became fully established. His progress was now so rapid that he became a Queen's Counsel in 1849, and took rank beside the great leaders of the Equity Bar. He never took any active part in politics, and his preferment was the reward of his acknowledged ability.

Mr Christian, who was brought into constant rivalry with Mr Fitzgerald, although junior in years, had a considerable start, having been called to the Inner Bar in 1845. The latter, however, quickly made up for this disadvantage, and it soon became a moot question to which of the two eminent and accomplished lawyers the higher rank should be assigned. On this nice point a good deal of eloquence and ingenuity was expended by the junior Bar and the Solicitors of the Court of Chancery. The result of this competitive examination appears to have been that in point of legal learning they were considered nearly on a par; that Mr Fitzgerald possessed a somewhat higher order of intellect; and that their respective styles, though widely different, were

equally effective. Mr Fitzgerald's manner was more natural and energetic, and occasionally impassioned. Mr Christian's, on the other hand, was artificial, elaborate, and calm, and derived its force rather from the vigour of language than the vigour of elocution. It is not easy to determine whether this comparison affords a just appreciation of the characters of the two men, but if their merits are to be measured by professional success, they stand on an almost perfect equality.

Mr Fitzgerald, so far as we can ascertain, never practised in the Common Law Court, his first and only appearance before one of those tribunals being in O'Brien's case, when he acquitted himself in a manner worthy of the high estimate formed of him by his client.

Since his elevation to the bench Mr Baron Fitzgerald has exhibited all the requisite qualities of a good judge—clearness of intellect, integrity of purpose, urbanity of manner, strict impartiality, and a total absence of religious or political bias. His advance in dignity had not the common effect of rendering him either proud, formal, or reserved. In the sacred seclusion of private life he commands the admiration and affectionate esteem of all.

THE RIGHT HON. JAMES HENRY MONAHAN, CHIEF-JUSTICE OF THE  
COMMON PLEAS IN IRELAND.

BORN A.D. 1805.

THE Right Hon. James Henry Monahan was born at Portumna, county Galway, in 1805. He was educated at Trinity College, Dublin, where he obtained the gold medal of 1823 in science. He graduated A.B. in the same year, and in 1860 took the degrees of LL.B. and LL.D. He was called to the Irish Bar in 1828; and he was made a Queen's Counsel in 1840. He was Solicitor-General for Ireland in 1846-7, and Attorney-General in 1847-50, when he was appointed Chief-Justice of the Common Pleas. He was elected a Bencher of the Hon. Society of King's Inns in 1847, and appointed a Commissioner of National Education in 1861. He was one of the members in the Liberal interest for Galway from February to August 1847. He was sworn a member of the Privy Council on becoming Attorney-General.

As Solicitor and Attorney-General Mr Monahan discharged his duties to the Crown most efficiently during a very trying and critical period in the history of his country. His reputation as a sound and able lawyer always stood deservedly high. Since his elevation to the Bench he has enjoyed the entire confidence of the Bar and public as an upright and conscientious judge. The very opposite of his contemporary, the Chief Baron, he has been accused of erring occasionally by an over-expeditious method of disposing of Nisi-Prius business. His career in Parliament was very short, and requires no particular comment. His public services were so fully recognised at that period that he was promoted to the first vacancy, which occurred a few months after he entered Parliament as the representative of his native county.

THE RIGHT HONOURABLE JAMES WHITESIDE, LL.D., D.C.L. P.C.,  
LORD CHIEF-JUSTICE OF IRELAND.

BORN A.D. 1806.

CHIEF-JUSTICE WHITESIDE is one of the most distinguished living Irishmen, whether we look to the part which he has borne in the home politics of Ireland, with which he was connected in a leading but chiefly professional capacity, or to his position in the House of Commons, in which he was one of the principal Conservative debaters. It has been truly said that he is "the only survivor of the old eloquence at the Irish bar," and in Parliament he was on several occasions put up against Mr Bright, Sir James Graham, Mr Gladstone, Earl Russell, and Lord Palmerston, as an antagonist of similar calibre. He is one of those whose great speeches are each in itself a title to fame. He could brace himself up for some grand occasion, and erect to himself a monument of speech. If it must be admitted that on slight occasions Chief-Justice Whiteside, when at the bar, was too fond of sporting with his subject, such Samson-like sport was counterbalanced by Samson-like feats of intellectual strength when a great occasion demanded. He was born at Delgany, in the county of Wicklow, in August 1806, and was a son of the Rev. William Whiteside, and brother of the late Rev. Dr Whiteside, vicar of Scarborough. He married, in 1833, Rosetta, daughter of William Napier, Esq., of Belfast, and sister of Sir Joseph Napier, Bart., ex-Lord-Chancellor of Ireland. During his university career he was a highly distinguished member of the Historical Society which preceded the present. We have not been able to find his name as an office-bearer, but he gave brilliant and showy promise of a great oratorical success. He was a contemporary of Mr Butt, who was twice auditor, or president as the office was then called, Dr Ball, Archer Butler, McCullagh, and other eminent men, since become remarkable in politics and letters. He graduated with honours in 1827, having obtained many classical honours and a scholarship in his undergraduate course. The honorary degree of LL.D. was conferred on him by his own university, and he was created D.C.L. at Oxford in 1863.

After obtaining his degree in Dublin, he proceeded to London, and commenced the study of the law, to which he applied himself with great assiduity. The next three years of his life were spent at the Temple; during this period he belonged to the first Law Class of the London University, and obtained honours in it. He had the advantage of studying under Professor Amos, the author of several legal works, a Fellow of Trinity College, Cambridge, and successor of Macaulay in India. During his London life Mr Whiteside made a remarkable figure at a public debating club in which he maintained his practice as a speaker. He also studied from the living models of the English law-courts; and his "Early Sketches" of Denman, Macintosh, Scarlett, Wetherell, and Wilde, and of Earl Grey as a statesman, show him to have been a keen observer of the men who



then occupied the public stage, as well as master of an original and characteristic style. Some of these sketches were published in an Irish periodical called *The National Magazine*, one in the *Dublin University*, and the others in English periodicals. They have recently been republished in a collection edited by Mr W. D. Ferguson, and strongly remind the reader of the similar sketches by Sheil and Curran. It is no little credit to the compositions of the youthful student that they bear out the brilliant reputation of the man whose fame has been won as an advocate and debater. It is a proof of individuality of style to find the same characteristics which appear in maturity developed in such early productions; and especially it shows that the peculiarities which we notice are not affectations. To give an instance of the opposite, there is a discreditable difference between the dull prose of the *Life of Schiller* and the German mysticism of the *Life of Frederick the Great*, in which ideas too vast for words, even though these be sentences strung together, struggle in vain to evolve themselves; and this difference is damaging evidence of affectation and obscurity of style wilfully and deliberately adopted. Mr Whiteside, on the contrary, writes in the same style when a student of the Temple as, many years later, in his "*Vicissitudes of Rome*."

We shall have occasion further on to notice his literary performances in relation to his oratory. In 1830 he was called to the Irish bar, and the expectation was not disappointed which had been raised by his debating society career. His progress was rapid, though laborious and severe. Business soon flowed in abundantly on the north-east circuit, and frequently on other circuits where he was specially retained, and in the Four Courts of Dublin. His reputation in 1842 was so deservedly high that he then obtained a silk gown, and from this period he was employed in every important case that occupied the Irish law-courts. But it was in the trial of Daniel O'Connell and others that his abilities were brought into the most prominent relief. Here he stood in a group with two of the greatest orators of his day, but his eloquence, instead of paling in contrast with Sheil's or losing in manly power beside O'Connell's, both in respect of brilliancy and power eclipsed the efforts of both. It has been said without exaggeration that this speech was "among the most successful efforts of modern times." Mr Whiteside is not, and never was, a "patriot" in the Irish sense of the word, but no man was able to sweep with more overpowering effect on the chords of Irish national feeling; and his speech on this occasion excited a sensation that was novel even in the Celtic capital. His contrast of the present with the past, his allusion to the deserted Parliament House, his splendid passage on free discussion, made the audience feel that they listened to one of the great orators of whom they had read, but never in their generation heard. The closing passages each day, it has been said by one who was present, "without any abuse of language, electrified the court."

It is almost an injustice to quote from this great speech; we doubt if really great speeches ought ever to be printed. A speaker may be able to lift up his audience from the earth, and carry them whither he will, but the magic is lost in the printed report—his speech is only a

corpse from which the life is quenched. It is therefore subjected to a dangerous test; for no beauties remain but those of form, and these are but a small part of the qualities of great eloquence. Form alone cannot enable the reader to believe what he has heard; he possibly finds in the leading article of the same public journal that contains the reported speech greatly better composition, regarding the speech only in that light. Besides, the speaker's intellectual fibre can then be subjected to the analysis of the critics; he can borrow no help from the impressive occasion, from elocution, from the speaking eye, from the countenance commanding sympathy, from the passion of the moment, the rapidity of thought and expression, wonderful in itself, the tear-accented delivery of pathetic passages, the rising and falling of the voice, the action that flashes out, anticipating the roll of the eloquent sentence. Of how much of all this had Mr Whiteside to divest himself when he spoke from the expressionless face of paper! No man had more to lose. The pliant figure, the face so free and large-expressed, the confident mouth, the eyes rather small, but with a peculiar grey power and sagacity, the perfect voice, elocution, and action,—all this he lost in a printed report. Yet to one who had heard him often, Mr Whiteside has always spoken so characteristically that we can rehabilitate what we read; we read it off his countenance, and give to it the appropriate action and elocution. Such is the modification of what we have said of printed speeches, so far as regards the great audience that, from time to time, has heard and seen a public speaker. Mr Whiteside's *personnel* was remembered with facility. No one came off himself more easily. Even to those who had no frontispiece of him in their memory to illustrate the printed speech, there was a peculiar quality or flavour in it strongly suggestive of the man. An important spring of this was probably the buoyant spirits which Mr Whiteside was so fortunate as to possess. A day of the severest drudgery in court did not diminish the sportiveness with which he would astonish those who had only seen him previously in harness. His sport was like Leviathan's; it was not awkward, because there was power and agility proportioned to the bulk; but it was sometimes of a nature which, however diverting to Leviathan himself, obliged the looker-on to get well beyond the reach of his gambols. This characteristic is observable in his reported speeches; and even on the gravest parliamentary occasions he could never wholly restrain this sportive disposition. One consequence was, that Mr Whiteside never had the valuable power, which conduces so much to the character and reputation of a statesman, of being at times protractedly dull. Not having had opportunities of observing, we cannot say if this characteristic has been lost upon the Bench; but we should be surprised to find that the Chief-Justice of Ireland had been able to hide his light under the judicial bushel.\*

The following passage may serve as a specimen of Mr Whiteside's humour; but it is necessary to premise that it was a skilful attempt to laugh off a serious part of the case, and that Judge Burton, "the shrivelled-up oracle of black-letter law," looked very like the somewhat

\* Since the above was written, we have heard that the Chief-Justice has wonderfully controlled his humorous proclivities.



mythical personage described as Ollam Fodhla :—" I next come to the volunteers' card; and were it not for the valuable assistance which I am sure I shall receive from your lordships in the interpretation of it, I should approach the task with fear and trembling. My lords, I find a likeness—faithful, I am to presume—of a celebrated Irish legislator who rejoiced in the appellation of Ollam Fodhla. I confess with shame my incompetency to treat of the merits of this gentleman; but my Lord Chief-Justice (Pennefather), who is deeply read in Irish lore, is conversant, no doubt, with his writings, and will state to you, gentlemen, the laws which were propounded by the illustrious Solon. He will explain to you the principles which were inculcated by this wise legislator, and the nature of the wicked, abominable, and seditious crime of putting the somewhat formidable name of Ollam Fodhla, and his exceedingly handsome face, drawn by Mr Thacker, on this card. But, gentlemen of the jury, I am sorry to inform the Attorney-General that the judges of the Queen's Bench are parties to this conspiracy; for if you take the trouble of looking up as you pass through the hall, you may see the bust of Ollam Fodhla gazing on the angry litigants below, pointing and directing those who look for justice to the Queen's Bench. You may give credit for purity of intention to those who thought that Ollam Fodhla ought to be a model of uprightness and purity; but I do not see why the members of the Repeal Association are to be held to be conspirators because they have placed his likeness on their card. Here is a name which I confess puzzles me a little; and I must certainly apply in this case to Mr Justice Burton for assistance. It is the next name on the card—*Dathe*! Did you ever hear of such a name as *Dathe*? Why, there is a conspiracy in the very sound of it. But who he was, what were his thoughts and opinions, and how he conducted himself, whether conformably to or against law, I am not competent to say; and I feel therefore that my only course is to apply to some person acquainted with the antiquities of Ireland to throw some light on the matter; and if there was anything particularly wicked in his conduct, I leave it for the learned judge to explain to you how the people who put his name on this card are conspirators. All I have been able to discover about the gentleman is that he was a pagan, and Mr Moore says he was killed at the foot of the Alps by a flash of lightning. But why his name was put on the card along with Ollam Fodhla I cannot discover. The learned Attorney-General forgot to prove to you that such persons as *Dathe* or Ollam Fodhla ever lived." This grave humour, so irresistible as it was spoken, can scarcely be made intelligible to the reader who does not know the expressions of Mr Whiteside's face, and has not heard the inimitable tones of his voice. Another passage will give an idea of the higher eloquence of the speech :—" The glorious labours of our gifted countrymen within these walls have not been forgotten. The works of the understanding do not quickly perish. The verses of Homer had lived 2500 years without the loss of a syllable or a letter, while cities, and temples, and palaces have fallen into decay. The eloquence of Greece tells us of the genius of her sons and the freedom which produced it. We forget her ruin in the recollection of her greatness; nor can we read even now without emotion the exalted sentiments of her inspired children, poured forth in their exquisite language,



to save the expiring liberties of their country. Perhaps their genius had a resurrectionary power, and roused them from the lethargy of slavery to the activity of freedom? We too have had amongst us, in better times, men who approached the greatness of antiquity. The imperishable record of that eloquence will ever keep alive in our hearts a zeal for freedom and a love for country. The comprehensive genius of Flood, the more than mortal energy of Grattan, the splendour of Bushe, the learning of Ball, the noble simplicity of Burgh, the Demos-thenic fire of Plunket, and the eloquence of Curran, rushing from the heart, will sound in the ears of their countrymen for ever. They toiled to save the ancient constitution of Ireland; but wit, learning, eloquence, and genius cast their power over the souls of men. With one great exception, our distinguished countrymen have passed away; but their memories cannot perish with them. Their eloquence and their names will be remembered by the grateful patriot while genius is honoured or patriotism revered.

"The Irish—'the mere Irish'—have been described as creatures of impulse, without a settled understanding, a reasoning power, a moral sense. They have their faults, I grieve to say it; but their faults are redeemed by the splendour of their virtues. They have rushed into this agitation with ardour, because it is their nature, when they feel strongly, to act boldly and speak passionately. Ascribe their excesses to their enthusiasm, and forgive. Recollect that same enthusiasm has borne them triumphantly through fields of peril and of glory, impelled them to shed their dearest blood and offer their gallant lives in defence of the liberties of England. The broken chivalry of France attests the value of that fiery enthusiasm, and marks its power. Nor is their high spirit useful only in the storm of battle: it cheers their almost broken hearts, and lightens their load of misery when it is almost insupportable—sweetens that bitter cup of poverty which thousands of our countrymen are doomed to drink. Without enthusiasm, what that is truly great has been won for man? The glorious works of art, the immortal productions of the understanding, the incredible deeds of heroes and patriots for the salvation of mankind, have been prompted by enthusiasm, and nothing else. Cold and dull were our existence here below unless the deep passions of the soul, stirred by enthusiasm, were summoned into action for great and noble purposes,—the overwhelming of vice, wickedness, and tyranny—the securing and sustainment of the world's virtue, the world's hope and freedom. The hand of Omnipotence, by whose touch this island started into existence from amidst the waters by which it is surrounded, stamped upon its people noble qualities of the intellect and the heart. Directed to the wise purposes for which Heaven has designed them, they shall yet exalt, redeem, and regenerate Ireland."

It was an extraordinary compliment for so young a man, and a political opponent, to be selected by O'Connell to conduct his defence; nor could any man have made a more splendid return for the compliment than Mr Whiteside. It is said that the peroration of his speech moved to tears even the occupants of the bench. On the conclusion of the first day's address, "a cheer, such as was never, we believe, heard in a court of justice, arose from the entire bar, and from the thronged

galleries, without distinction of sect, politics, or sex; for the court and even the judgment-seat was thronged with ladies. It was taken up in the hall without, and found a gigantic echo in the crowded avenues of the court. It was so intense and general that neither the officers of the court nor the judges attempted to check it. The Chief-Justice expressed his disapprobation the next morning.\*

Mr Whiteside did not gain this triumph, on which so much depended, and which was sure either to make or to mar his future reputation, without expending upon it considerable labour and anxiety; and in consequence of overwork he was driven to Italy for health. During his sojourn in Rome he wrote into a book what passed naturally through the mind of a visitor so capable of appreciating the associations of the place, "*Vicissitudes of the Eternal City.*" He also wrote a translation of *Canina*, with notes, and a more elaborate work, in three volumes, on "*Italy in the Nineteenth Century.*"† The *Vicissitudes* show much original classical thought and considerable scholarship, and suggest how different such a place as Rome is to the ordinary visitor and to one who can not only see it in its wonderful poetical aspect, but to whose eyes the past so distinctly unrolls itself, and who can walk the streets amid the Roman Republicans, or hear the *Cæsars* passing by. In "*Italy in the Nineteenth Century,*" Mr Whiteside shows the same influence of mediæval history on his mind that forms the haunting spirit of the provinces as the classical history does of the capital. He is an admirable and instructive companion in visiting famous localities, and seeing the events of that most important period at which he wrote his book. Of course he looks from a Conservative point of view at Italian politics, and from a strongly Protestant conviction at the religious aspect of affairs in Italy; this causes curious cross-currents of sympathy and dislike to appear.

Mr Whiteside was an admirable lecturer: in 1840 he was elected to deliver lectures at the Dublin Law Institute, then in its second session, and in his inaugural address he alluded to the benefit which he had derived from attending law lectures at the London University as the origin of his conviction that such a system ought to be introduced into Ireland. He expressed his conviction of the necessity of mastering the principles of law more than was customary with Irish lawyers, whose practice was to live from hand to mouth, examining isolated statutes as necessity arose, but not taking them with a general course of reading, or endeavouring to master the philosophy of law. At a later period Mr Whiteside delivered an interesting course of lectures to the Dublin Young Men's Christian Association, which was published by the committee in a separate volume, revised and amended by the author, in 1868. The first of these contains an outline of Irish Parliamentary history, written in a most entertaining style, full of interesting facts and striking historical generalizations. "*The City of Rome and its Vicissitudes*" contains, we believe, a compression of Mr Whiteside's larger work. The volume also contains essays on "*The Homely Virtues,*" and "*The Church in Ireland;*" but the essay which will be

\* Gartlan's Sketch of an Irish State Prosecution.

† Bentley, 1848. This work has gone through three editions.



read with most pleasure is that upon Oliver Goldsmith and his critics. At the time it was delivered a statue was about to be erected to the memory of the poet outside the gates of Trinity College, Dublin, which he had so often passed and repassed. We will quote the admirable short speech delivered by Mr Whiteside on the occasion of unveiling the statue. It breathes the spirit of the essay:—

“It would be bad taste in me to attempt to follow the example which his Excellency (the Earl of Carlisle) has set, and to descant on the merits of Goldsmith as a poet, a novelist, and a man; but the nature of the ceremony in which we are engaged may suggest a reflection. We wage the battle of life in these busy times so fiercely that the living allow but little leisure to recall the memory of the dead. The light of genius is sometimes suddenly extinguished among us. A Thackeray will be struck down in the pride of his intellect, and in the possession of fame, and his friends and admirers assemble to mourn over his tomb. At the same time, in the quick succession of events, the claims of the living will sometimes prevent us from recollecting sufficiently the virtues of the dead. And, on the other hand, it often happens that an unobtrusive genius in life is depreciated, his labours are derided, and his merits are forgotten; but in death the same man will be respected. Then his merits are discovered, and his labours felt and acknowledged by posterity for ever.

‘Urit enim fulgore suo, qui prægravat artes.  
Infra se positas: extinctus amabitur idem.’

The fame of Goldsmith is now confessed wherever the English language is spoken throughout the world. The fame of the orator, unless it be entwined with the history of his country, is written on sand. The fame of the politician is limited to his time, to his party, and perhaps to the kingdom he protects. The fame of the historian will last only if the facts he records are worthy of remembrance; but the fame of the true poet is universal and immortal. The verses of Homer have lived for 2500 years and more, without loss of a syllable or a letter, while cities have fallen and commonwealths have perished. The poetry of Goldsmith has rejoiced the heart of the solitary emigrant in our remotest colonies; it has gladdened the fireside in civilized life; it has enchanted and instructed the rich and the poor, the ignorant and the learned, the peasant and the king. This is the true test of poetic genius. It commands the homage of mankind and sits enthroned in their affections. I have read within the last few days a pleasing criticism on a new edition of Robinson Crusoe. The critic, with excellent effect, argued that each successive year added to the fame of Daniel Defoe, and added to the charms of that incomparable work. I bought the new edition; refreshed my eyes with the well-remembered picture of Robinson Crusoe and his man Friday. I felt the force of that criticism, that a work of genius never dies; but can that tale be compared with the incomparable work to which his Excellency has so happily referred, the ‘Vicar of Wakefield?’ No. The deep pathos, the exquisite simplicity, the sympathy with suffering virtue—the picture of the man of God, in his misfortune overcoming vice, subduing wickedness, and reforming the jail—present a picture that will be felt,



honoured, admired, and loved, everywhere and for ever. It has been objected to us that Irishmen have not been sensible of the merits of their great men, and it has been said that this statue comes too late. To the first objection I answer, we live now in happier times, and we have learned to understand that the greatness of our country consists mainly in maintaining the fame of her poets, her philosophers, and her patriots. Nor does the statue of Goldsmith come too late. He is still as warmly cherished in the heart—he is as high in our esteem, he is as heartily loved as he was on that day when his friends of the Literary Club laid his mortal remains in the churchyard of the Temple. He grows in reputation; he grows day by day; and wherever an Irishman throughout the world lives, he will repeat with affection and respect the name of Oliver Goldsmith. Sir, we have a model for the course we pursued to-day. All the exemplar states of antiquity raised to the memory of their great men the tall column, the triumphal arch, the graceful statue. They still point in Rome to the statue of him who fulminated over Greece, and in this practice there is a deep significance. Those nations believed that by acknowledging the merits of their famous men—by paying homage to illustrious talent—they might encourage the youth of the country to walk in their footsteps and emulate their fame. Let us not fall short of that noble example; and, as his Excellency has truly observed, in this same university where Goldsmith learned, and struggled, and suffered—where he showed his foibles which are now forgotten, his failings which are now forgiven—there struggled and learned with him another Irishman—Edmund Burke. As they were friends in life, let it be our pride and privilege to place them here, side by side, before the university they adorned, and in the country which they loved. Thus we show ourselves worthy of that country by honouring our great dead men, and by proving that we know how to appreciate that genius which, it has been often said, has been elsewhere more keenly appreciated than amongst us. Nor do we fail to find a sculptor who can exhibit his own genius while he portrays for us the life, the genial good humour, the intelligence, and the character of Oliver Goldsmith."

The state trial of 1848 again brought out Mr Whiteside on an occasion worthy of his powers as an advocate. He was associated with Mr Fitzgerald in the defence of Smith O'Brien, charged with high treason before the special commission sitting at Clonmel. The presiding judges were Doherty, Blackburne, and More, and the prosecution was conducted by the Attorney and Solicitor General.

Mr Whiteside made a determined effort to obtain the names of the witnesses against his client, but it was decided that this right, conceded to the accused by the law of England, did not exist in Ireland. He used this injustice in his powerful defence of the prisoner, showing the disadvantage it placed him under of being unable to bring forward evidence against the character or veracity of the witnesses for the Crown.

The facts of the treason were too obvious to admit of success in grappling with them; but Mr Whiteside's pathetic appeal for Mr Smith O'Brien produced a marked sensation in the court. He called Major-General Napier, the historian of the Peninsular war, as a witness, to

show that in England the agitation previous to the Reform Bill was carried on with equal violence and elements of conspiracy as the rising in Ireland, but that no one had thought of accounting it treason.

As a cross-examiner Mr Whiteside had no rival at the Irish bar. We quote the writer of a clever sketch in the *Temple Bar Magazine* (No. 50) for a description of his examination in the trial of Dobbyn the approver:—

“I think I see the withered, wretched-looking little deceiver trembling and shivering, growing smaller and smaller, until he appeared to shrink into his miserable tortoise or snail-like shell; while Whiteside drew him forth as a ferret would a frightened rabbit, or a dog an agitated and bewildered badger. I could not leave the court during the cross-examination; had I been engaged in taking notes for the press, I should not have been sufficiently calm and indifferent to have written out the evidence correctly. The auditor was carried away by its quick, electrical, overwhelming sensations; and he felt at once that the scene then being enacted was the chief one of the drama. The little palsied informer, the quaking, sneaking spy, covered with the sudden fit of ague brought upon him by the uncongenial region into which his turpitude had thrown him, sat, or rather wriggled and shifted perpetually upon his unsteady chair, mesmerised by the eye of Whiteside. When I read the cross-examination in the volume of the trial, compiled so accurately by Mr Hodges, I wondered in what its effect had upon me consisted. It appeared to me, on reading it, to be one of the ordinary efforts of an able cross-examiner; and I perceived, on reflection, that the effect had entirely arisen from the two characters that were before me. The expressive faces, so full of contempt on one side and terror on the other, the thundering vituperation of the advocate, the broken voice and quivering limbs of the discomfited spy, were wanting in the printed report.”

The following graphic and faithful description, by the same writer, will enable the reader to understand how such effects could be produced:—

“The character of Whiteside’s face is entirely Milesian; it is pale, or rather the colour of that material upon which he has so often written as an able conveyancer—parchment, and his face is as free from a blush as it is from a beard: he strides or stalks across the hall with the bustling air of a man of business, and the port of a self-reliant and able man—‘Who dare oppose me? who shall enter the lists with me? who shall resist me in my client’s cause?’ This is his look: there is nothing mean, insignificant, crouching, cringing, sneaking, or dodging about him; he does not slope along, sneak along, simper along; he stalks or strides, the Right Honourable James Whiteside! He has some peculiar tones that arrest attention—deep guttural notes, harsh, grating, short, rough grunts or snarls, that have a singular effect in his mode of rendering some passages. His scorn is withering; his sarcasm bitter, blighting, blistering; his love of the ridiculous irrepressible. He is, without doubt, the wittiest and most humorous man at present at the bar of Ireland.”

Exclusive of his great speech in the O’Connell case, in defence of



Duffy, Mr Whiteside's greatest triumph as an advocate was in the Yelverton case in 1851. Major Yelverton, son of Lord Avonmore, contracted an irregular marriage with a Miss Theresa Longworth, who was extremely prepossessing in appearance and skilled in the arts by which men are won; indeed, it was questioned whether her capture of Major Yelverton was not almost as irregular as the mode by which he submitted to be captured. Having tired of this lady, Major Yelverton married once more, the widow of a professor, and this time in earnest. Popular sympathy in Ireland was, of course, enthusiastically in favour of Miss Longworth, or the Hon. Mrs Yelverton, and the trial of the case rose to the highest level of public interest and excitement. Mr Whiteside was engaged for the lady, and threw himself into the championship of her cause with a chivalry and fervour which reminded one of Hamilton Rowan's famous espousal of a similar case of wrong; and his gallantry procured for him a large share of the enthusiasm felt for Miss Longworth herself. His cross-examination of the Scotch advocates who were produced for the defence to prove the state of the Marriage Law in Scotland, was a masterly performance; the knowledge which he displayed of that most difficult subject astonished bench and bar alike, and, perhaps, none more than the learned advocates themselves. It showed what extraordinary powers he possessed in being able to master, in an incredibly short time, the most subtle questions of law.\*

\* It is often difficult in a country like Ireland to form a true estimate of public men. There are so many conflicting influences at work, and, unfortunately, sectarian bitterness is imported into every question, great or small, and poisons the channels of public opinion. The critics are divided into hostile camps, and make it a point of religion to disagree on every subject; hence it happens that men who take a decided part in the questions of the day are as heartily abused by one section as they are lauded by the other. It is sometimes hard to know which side to believe; and though an impartial man, by steering between the extremes, may generally arrive at the truth, it not unfrequently happens that he is misled. Abuse is always more adhesive than praise, and according to the laws of the critics, the judgment usually leans to the side of censure. As for the legal critics, they seldom, if ever, allow any man who has figured conspicuously in the political arena to depart therefrom in peace. They are generally men who have plenty of time to devote to their censorial functions, and seem to think that the great mysteries of the law are locked up in their own exclusive bosoms. It was then scarcely to be expected that Mr Whiteside, on his elevation to the bench, should entirely escape the attentions of this vigilant body, any more than many other eminent men who had passed through the same ordeal before him. His popularity, however, was so great with all classes, without distinction of creed or politics, that he was never assailed, so far as we can learn, unless, perhaps, by the insignificant gossips of the Library. Of course there is no denying that, in the case of barristers who have got into large Nisi Prius business early in their career, they have little time to devote to the general study of the law, and are obliged by necessity, to a great extent, to prepare themselves specially for every case involving difficult legal questions, as the occasion arises. Mr Whiteside, fortunately for himself, had been, as we have seen, a most diligent student, and improved the interval (short as it was) between his call to the bar and the accession of extensive Nisi Prius practice on circuit and in Dublin; otherwise he could never have been so successful as he was. As a Term lawyer, any one familiar with the law reports of his time cannot fail to recognise his high legal attainments. The instance above referred to shows how a man of quick perception and retentive memory can become equal to any emergency, and rise to the occasion. Another small incident, tending in the same way, is worthy of



The trial was a long and exciting one, and a member of Mr Whiteside's family fell dangerously ill on the very eve of his address to the jury. It was rumoured that he could not appear in Court, and that the notes of his speech were to be read by one of the other counsel. Fortunately, however, the danger of a sad domestic calamity abated, and he was able to appear, though evidently suffering from the effects of anxiety and want of rest. The Court was crowded to its utmost capacity, and every nerve of the auditory was strained with excitement when the champion rose, and in a voice which wanted its usual tide of volume and force, but made up for this lack in the intensity of its suppressed feeling, commenced the defence of his client's honour. Through the day he kept his audience enchained to his lips, and even the Chief-Justice did not attempt to disguise his emotion when Mr Whiteside drew a picture of a woman's love and betrayal; and when he described the defendant as a man with "a forehead of brass, a heart of iron, and the morals of a monkey," every eye turned to the place occupied by Major Yelverton. If old Barry Yelverton, first Lord Avonmore, could have resumed his judicial seat once more, to have beheld his grandson's position, the old Chief-Justice's wrathful eyes could scarcely have been more terrible than the withering look and action of the speaker.

He next proceeded to describe the ravages of sorrow on the once fair form of his client, and skilfully glossed over in a few words the indiscretions on which Serjeant Armstrong had dwelt so much. "You cannot," he said, "restore the bloom to her faded cheek, the lustre to her tear-dimmed eye, or the buoyancy to her heart, crushed down by the weight of her multitudinous sorrows. But you can restore that which she holds dearer than life itself—you can set her right before the world, as she stands right before Heaven—you can by your verdict to-day declare her to be the true and lawful wife of the man who now would cast her off—the husband of her young and ardent affections. Her love for him was great—too great for words to tell—perhaps it was unwise. Ah! it might have been better for her, before she had tasted the bitter cup of sorrow, when she was bereft of a tender mother's care, if the cold hand of death had touched her, and she had been borne to a happier sphere, to join the spirits of the 'just made perfect,' throughout the countless ages of eternity."

As evening drew on, and in the twilight, the speaker approached his peroration, the pale earnestness and power of that one face, lined round the eyes with traces of fatigue, seemed to stand out with unnatural distinctness from the gloom, and every movement of his lips was watched with strained intentness. Perhaps it was not very much in the words that the extraordinary power of Mr Whiteside's speech lay—a power which became painful as the last words were rung out; but a tremendous spell seemed broken as he concluded; and never, even in an

being recorded. In the important case of *Corry v. Cremorne*, in the Court of Chancery, Mr Whiteside appeared as one of the counsel for Lord Cremorne; and on that occasion an eminent and profound lawyer, who is now a most distinguished judge, in reply to an observation made in his hearing, warmly retorted (using one of those strong expletives in which he occasionally indulged), "Whiteside in Chancery! ——— Whiteside is fit to go anywhere."

Irish Court of Justice, certainly not since the great O'Connell speech, was such a burst of cheering heard. Mr Whiteside was at the time a prominent Member of Parliament, and when, a few days after this trial, he walked into the House of Commons, the whole House, by a single impulse, rose at his entrance in admiration of the man and the speech.

Of all the other great civil cases in which Mr Whiteside added to his laurels it would be simply impossible to attempt anything like a detailed account. Though it is almost an injustice to him to refer to any of them in particular, we cannot resist mentioning a few of the most remarkable that occur to our recollection—viz., the Mountgarret Peerage case, tried in 1854 and 1855; the Colclough Will Case, in which he eminently distinguished himself; *Kelly v. Dunbar*, which afforded full scope for the play of his humorous and sarcastic powers; *Fitzgerald v. Fitzgerald*, in which case he succeeded in setting aside the will of Sir Edward Fitzgerald, though there was arrayed against him Brewster, Butt, and Ball.

On Lord Derby's accession to power in 1852, Mr Whiteside was appointed Solicitor-General for Ireland, in the March of that year, and held that office till January 1853, when he went out with his party. He was elected a Bencher of the King's Inns in 1852. On the formation of Lord Derby's Administration in March 1858, he became Attorney-General for Ireland, and a Privy Councillor, resigning office in June 1859; and upon their re-accession to power in 1866, he again became Attorney-General, and filled that office until July 1866, when he was appointed Lord Chief-Justice of Ireland in the room of Chief-Justice Lefroy, who had retired.

The Parliamentary life of Mr Whiteside dates from 1851. In that year he was returned for the borough of Enniskillen, for which he sat till 1859, when he resigned, and was elected one of the members for the University of Dublin, which he continued to represent until his elevation to the bench in 1866. As already remarked, Mr Whiteside soon attained the highest position in the House as a debater, and a prominent position was always assigned to him in all the great debates. Among the greatest of his parliamentary successes may be mentioned his speeches on the Crimean War in 1854; his reply to Mr Gladstone, in May 1855; his speech on the Kars debate, in April 1856; his speech on Mr Cardwell's motion on the Government of India, in May 1858; that on the affairs of Italy, in July 1859; on Education in 1861; on America, in 1861; and on the Irish Church debate, in May 1863. His speech on the amendment proposed by Sir F. Baring (now Lord Northbrook) to Mr Disraeli's motion on the prosecution of the war (delivered May 1855), is one of the best specimens of Mr Whiteside's debating powers. He opened his speech with a withering fire on Mr Gladstone and Earl Russell, pointing out with great force and telling effect the gross inconsistencies between the views taken by them in their speeches on that occasion. He next drew a picture of Mr Gladstone as he appeared at the beginning of the war, and after the Conference at Vienna; presenting in strong contrast the warlike utterances of the hon. gentleman a few years before with the pacific tones of a spirit once so terribly bellicose. Perhaps one of the happiest hits that he made was when



he said he would take the liberty of continuing the quotation which Mr Gladstone made in the course of his speech. The quotation was from Virgil, and the remaining portion, as supplied by Mr Whiteside, was about the most appropriate quotation that could have been used against the Ministry by its bitterest assailant.\*

The speaker next proceeded to give a masterly sketch of Russian intrigue and aggression from the earliest times, and arguing with almost irresistible force that no faith was to be placed in Russian treaties, he concluded one of the most magnificent speeches that he ever delivered in Parliament with a burst of eloquence seldom if ever surpassed.

For the benefit of our readers who have not "Hansard" at their command, we give two short extracts from this remarkable speech. Speaking of the inconsistencies between the views taken by Earl Russell and Mr Gladstone in their speeches on this occasion, Mr Whiteside said:—"They had the advantage of listening to the noble lord the member for London, and the right hon. member for the University, each of whom expounded his views with great ability, but with the most marked contrariety. Indeed, any impartial hearer of those two eminent men must have been struck with the proofs of inconsistency of opinion and uncertainty of conduct, not upon a minor subject, but upon the weightiest matter that could occupy the minds of statesmen, which were exhibited in their speeches. And one could not help asking himself, when he listened to the strange evidences of discrepancy between them, 'Did these two gentlemen sit so lately in the same Cabinet? Did they meet and deliberate together on the awful questions of peace and war, and on the negotiations which might affect the one or the other? Did they guide the destinies of the nation at a moment when it was above all things indispensable that a united and powerful combination of statesmen, acting on a common principle, should direct the energies of this country in a manner correspondent with its duties and obligations as a first-rate Power?' A Ministry whose individual opinions in such a crisis were diametrically opposed, contradictory, and discordant, could not fail to bring about the signal misfortunes which had recently befallen our country. Let the House not be fascinated with the eloquence of the right hon. gentleman or misled by the authority of the noble lord, but attentively examine the substance and tenor of their arguments. The noble lord's views appeared to be bent on war, but the right hon. gentleman's thoughts were turned on peace. The right hon. gentleman said the terms conceded by Russia would

\* The quotation by Mr Whiteside is as follows:—

"Cur indecores in limine primo  
Deficimus? Cur ante tubam tremor occupat artūs?"

The line immediately preceding runs thus:—

"Sunt illis sua funera, parque per omnes tempestas."

We presume this was the quotation referred to. It does not appear in Mr Gladstone's speech as reported in Hansard, but from Mr Whiteside's remarks it must have been the one used by Mr Gladstone in reference to the losses sustained by both sides, when he eloquently described the horrors of the war, and argued against its further prosecution. The lines occur in Virgil's "*Æneid*," Lib. xi. vv. 423-6.



give us a safe and durable peace; while the noble lord—the negotiator in person—maintained that those terms would give us a mockery. According to the right hon. gentleman, a treaty with Russia might be sufficient; according to the noble lord, we ought to have substantial guarantees. The revision of the treaty of 1841, said the right hon. gentleman, would be of much value in the settlement of this vital question. That revision would amount to nothing, said the noble lord, because (he added very truly) without any fresh treaty the Sultan might cry out for help when assailed. The right hon. gentleman held that, should we accept the terms proposed, England would have been successful in the result of the struggle in which her blood had been profusely shed and her treasure lavished. The noble lord, with a little more patriotism and truth, maintained that, if we acceded to those terms, we should be confessing in the eyes of the world that we, and our chivalrous ally France, had been defeated. The right hon. gentleman said that by the adoption of the terms proposed the safety of Turkey would be secured; and the noble lord, that the danger to Turkey would be thereby increased. The right hon. gentleman insisted that England and France would have gained their end, and established a European peace; the noble lord insisted that the preponderance of Russia would be greatly augmented, not only over Turkey, but over Europe. Such were the discordant opinions, on a grave question, of two able and thoughtful men, who expected from the Parliament of England an unanimous conclusion upon their conjoint counsels.”

After expatiating at great length, and with rare argumentative power and eloquence, on the other topics already indicated, Mr Whiteside thus concluded this brilliant and masterly speech:—“There should be no ambiguous speeches, and no delusive schemes of peace. If the management of the war had been in the hands of men capable of conducting it to the honour and advantage of this mighty nation, what might not have been the results! Behold the difference between the Ministry and the nation. On the one hand, timid negotiations, feeble policy, and divided counsels. What a contrast with the energy, enterprise, courage, and enthusiasm of a gallant people! For what are we fighting? For the supremacy and greatness of England, a cause which cannot be deserted or betrayed. You are not fighting for the mere interests of commerce, though I do not wish to be understood as undervaluing the advantages of commerce, for it spreads civilisation and gathers wealth; but you are fighting for something higher, nobler, grander—the greatness, the supremacy, and glory of the country—for something nobler than the interests of commerce, or the acquisition of territory. I believe that the object of this great contest is to establish the authority of eternal justice, to vindicate the outraged laws of nations, and to promote and advance, I ardently hope, the liberties of the world.”\*

\* We have given the above extracts not without some compunction—our only consolation being that the injustice so done to Mr Whiteside is not much greater than the injustice done to him in the extended reports of his speeches—as already remarked, no speaker ever suffered so much as he did by being transferred to paper. For this and his other great speeches we must refer our readers to “Hansard’s Parliamentary Debates,” under the dates above mentioned.

But it was not alone as a consummate debater and a brilliant orator that Mr Whiteside distinguished himself in Parliament; his name is most favourably associated with many great and salutary measures of legal reform. Foremost amongst these may be mentioned the Common Law Procedure Amendment Acts of 1853 and 1856. The object of these Acts was to simplify and amend the course of procedure as to the process, practice, pleading, and evidence in the Superior Courts of Common Law in Ireland, so as to make it less dilatory and expensive, and to prevent substantial justice from being defeated by the variety of forms of action, the technicality of pleading, and the length of records. This, no doubt, was a very ambitious scheme of reform, but it must be gratifying to Mr Whiteside to find that these Acts, although they had to encounter much opposition, arising from the old prepossessions and prejudices of the bench and bar, have worked most satisfactorily for suitors, and conduced to the ends of substantial justice. Many of the clauses of the Bill as introduced by Mr Whiteside were rejected by Parliament at that time; but it must have been satisfactory to him to find that most of his proposals were on further consideration adopted, first for England, in the Procedure Act for 1854, and afterwards for Ireland, by the Procedure Act of 1856. These Acts have, from their passing up to the present, a period of nearly twenty years, regulated the practice and procedure of the Common Law Courts in Ireland. Of course, Mr Whiteside's legislation did not escape hostile criticism from those who loved technicalities, and felt their craft was now in danger. The new code of procedure was denounced as a huge *legal "Bradshaw,"* which, while it professed to make everything simple, created an utterly hopeless state of confusion. However, during that long period there has been only one attempt at improved legislation. In 1865, a Bill was prepared with the object of assimilating the law in Ireland to the law in England; but it has been allowed to slumber quietly ever since; although the sister Bill for amending the practice of the Court of Chancery was promptly advanced, and became law on the 1st of November 1867. It has been significantly remarked that the former Bill involved little or no patronage. Mr Whiteside's able statement, when introducing the Act of 1853 into the House of Commons, proved him thoroughly qualified for the difficult task of legal reform. He showed himself thoroughly versed in the law as it then existed, in all its intricacies, and having exposed its defects and absurdities with unsparing hand, he unfolded in a clear and masterly manner the measure of reform which he proposed to introduce. His speech, too, was, in portions of it, one of those happy efforts of his humour on grave subjects of debate. We quote for the reader the following passages, where, with affected gravity, he ridiculed the absurdity of the numerous forms of action:—"The value of retaining these forms would be discovered by the recollection of the great case of the Squib. A party at a fair fired off a squib—it fell on some gingerbread—another party at hand took it up and threw it at a third—it struck him in the eye, and he lost his sight. He brought his action of trespass against the party who fired off the squib; the jury gave him a verdict for damages, but a question arose upon the form of the action. A reasonable person would have supposed that the substantial question was whether the

plaintiff had lost his eye by the act of the defendant; but no, said the lawyers, that is immaterial; the real question is, whether it should be called an action of trespass *vi et armis*, or an action of trespass on the case, because the squib had first touched the gingerbread. That was an English case. I will now give an Irish case of the same nature. A priest was travelling outside a stage-coach, a collision took place between that and a rival coach, and the coach on which the priest was seated was about being overturned. The priest was alarmed—he threw himself off the coach and broke his leg; he brought an action for the injury, but the pleader unluckily called it by the wrong name—he called it trespass. It was argued that it was an act of necessity—that the priest threw himself off to save his life. On the other side, it was said he had not been struck—that the act was his own; and because he would not remain on the coach and lose his life, to settle the point of law, his action was held to be wrong, and he not only lost his leg, but his damages also.”

It was, we believe, chiefly owing to Mr Whiteside's powerful opposition that the Bill, already referred to, for Amending the Practice and Procedure of the Court of Chancery in Ireland was thrown out on its introduction by the Attorney and Solicitor General for Ireland (Mr Lawson and Mr Sullivan). The division on that occasion was so close that the Bill was lost by the accident of an Irish member (Sir C. O'Loughlen) going by mistake into the wrong lobby. The same measure was afterwards brought forward during the last Derby administration, by Mr Chatterton, the Attorney-General, and became law from and after the first day of Michaelmas Term, 1867, save as to Part I., which appointed Mr Chatterton Vice-Chancellor of Ireland, and took effect from the 1st day of August previous. After many years' trial of this Act, Mr Whiteside's opinions do not seem to have been far astray when he said that things went on most satisfactorily under the Chancery Regulation Act of 1850, and no change was desirable; and that the measure then proposed, under the pretext of establishing uniformity of practice in the English and Irish Courts, was in many respects unsuited to Ireland. Of the other legal measures which he introduced or helped through Parliament it would be impossible here to attempt to give an account. In justice, however, to Mr Whiteside, we must allude to a well-known enactment with which (whether rightly or not we cannot now say) his name has been associated. We refer to the Judgment Mortgage Act of 1850. Owing to the carelessness of practitioners, and the narrow construction put upon the Act by the judges, and not to any fault of the draftsman or the members whose names were on the Bill, sad losses were occasioned to creditors who had imperfectly registered their judgments as mortgages. The fatalities were due, not to any difficulty or defect in the Act of Parliament, but to the conduct of the practitioners, who relied on the printed forms of affidavit issued by the law-stationers, and never troubled themselves to look at the words of the statute. The decisions of the Common Law and of some of the Equity Judges which were influenced by previous decisions on similar language in another statute, brought no small discredit on the administration of the law. Finally, by a decision of the House of Lords, the Irish Judges were released



from their fetters, and left free to decide according to justice and common sense. It was therefore utterly unfair to visit on Mr Whiteside the sins of others, for which he was in no way accountable; but this is one of the risks which all public men must run.

When Mr Whiteside was raised to the bench, a strange feeling prevailed amongst a large section of the Dublin community. Not that any one grudged the right hon. gentleman any honours, however great, which the country could confer upon him; but people, somehow, seemed to look on him as a species of public property, and to be aggrieved by his withdrawal to the bench, as if they had been ousted of some valuable ancient right. It was not so much the loss of an able advocate—which, whether actual or prospective, affected comparatively few—as the loss of an established favourite, who delighted the multitudes by his brilliant wit and eloquence, which caused something like feelings of disappointment and regret at his elevation. It certainly is no exaggeration to say that his popularity was immense, and nothing could exceed the public admiration of this gifted and extraordinary man. And the mania (as it may be truly called) was not confined to the mere *habitués* of the Four Courts, who, during the Nisi-Prius sittings, followed him from Court to Court—wherever there was a chance of hearing Whiteside. In the Courts, at public meetings, the lecture-halls, or elsewhere, crowds were sure to be attracted to the spot. Strangers from all parts visiting Dublin were taken to hear him as a special treat. He was, in fact, one of the great “lions” of the Irish metropolis, and it was now pronounced to be “a sin to cage him” within the judicial precincts of Her Majesty’s Court of Queen’s Bench. We believe it is not too much to say, that no one who ever heard him was disappointed. But he should be heard and seen to be thoroughly appreciated. Whiteside on paper and Whiteside in the flesh were two different beings—different as night and day. He was never dull or uninteresting, and on every occasion, ordinary or extraordinary, he astonished and delighted his hearers. His exquisite humour, which never verged on coarseness or vulgarity, was perfectly irresistible; and the most accomplished actor that ever appeared on the stage never charmed an audience as he did by the natural sallies of his inexhaustible wit. But it was not the outside public alone that was attracted by the charms of his wit and eloquence. The bar, too, busy and briefless alike, succumbed to the general fascination. To those men who had chosen the learned profession “*otiandi haud negotiandi causâ*,”—for enjoyment, not employment,—his elevation to the bench was really nothing short of an irreparable loss; the great charm of their legal life was gone. It was no uncommon occurrence in the library of the Four Courts, when the cry was heard, “Whiteside is on,” to see the busy men flinging away their briefs, and rushing off, after the manner of the briefless, clients and attorneys to the contrary notwithstanding. The same scene exactly was repeated in the House of Commons, and hon. members rushed from all quarters to the House when “Whiteside speaking” was announced. It was no wonder, then, that people said it was a pity “to cage” him on the bench; and we have no doubt, if the truth were known, that the Right Hon. James Whiteside himself somewhat shared the popular sentiments, and that it was with no

ordinary pang of regret he left the exciting scenes of his brilliant triumphs for the comparative seclusion of the bench. We now come briefly to consider him in his new sphere of Lord Chief-Justice of Ireland. It was, no doubt, a trying change for one of his peculiar temperament, whose whole life was one long uninterrupted scene of the hottest strife and agitation, to be suddenly transplanted into the chilling atmosphere of the Queen's Bench. The new Chief-Justice took his seat between two judges who had been on the bench for many years, and were cool from experience, if not "by nature placid, and of gravity severe." We intend no disparagement of those most excellent judges, who stand deservedly high in the estimation of the bar and the public. Of one of them, indeed, it has been often said (and we mention it in no invidious contrast), that for dignity, learning, and integrity, he could not be surpassed by any judge on the Irish or English bench. But in one point, at least, there was nothing in common between them and the new Chief-Justice. If they were possessed of brilliant wit and a keen sense of the ridiculous, no one certainly ever accused them of showing any indications of these qualities on the bench. This was, indeed, strange company for Chief-Justice White-side; and the legal prophets foretold that his irrepressible humour would ere long disturb the judicial composure of his sober-minded brethren. Such, however, has not been the case, and, with the exception of some few pardonable outbreaks, the seemingly incorrigible Chief has wonderfully controlled "the unruly vein," and given no occasion for scandal or offence. But that high tone and dignified bearing of a polished and courteous gentleman, for which he was all through his previous life so distinguished, have followed him to the bench, and in these respects he thoroughly becomes his high position. As an honourable and upright man there never was a spot or blemish on his reputation; and though he held strong views, and took a decided part in the religious and political questions of the day, he was always honest, manly, and free from guile; and since his elevation to the bench we believe his uprightness and impartiality as a judge has never been suspected or impeached, unless, perhaps, in the columns of some Ultramontane journal. But in this respect few of the Irish judges who ever took a prominent part in politics have entirely escaped. In the celebrated case of "*O'Keefe v. Cullen*," any suggestions that could be made as to his charge are met at once by the fact that a mixed jury of Protestants and Roman Catholics found a verdict for the plaintiff. It is true that a new trial was granted in that case on the ground of misdirection by the learned judge, but this, of course, was purely on a question of law; and if the case ever goes before the Exchequer Chamber or the House of Lords, it remains to be seen whether the Chief-Justice was right or wrong in his view of the law.

Of all his legal decisions, indeed, it may be truly said that they evince great learning and research, and are reasoned out with much force and perspicuity. Of course, Chief-Justices are not infallible more than other men, but we believe that his judicial career will prove no unfitting sequel to the matchless achievements of his earlier life.

## SIR ROBERT JOHN LE MESURIER M'CLURE, C.B.

BORN 1807—DIED 1873.\*

SIR ROBERT JOHN LE MESURIER M'CLURE, son of Captain M'Clure of the 89th Regiment, was born in Wexford, January 28th, 1807. He was born after the death of his father, and at the early age of four years was received under the care of his godfather, General Le Mesurier, Governor of Alderney, where he remained till twelve years of age, when he was sent to Éton, and afterwards to Sandhurst. Abandoning

\* The death of Sir Robert M'Clure occurred shortly after our memoir was written. In the obituary notice which appeared in all the leading journals throughout the kingdom, he was described as the "Discoverer of the North-West Passage." This led to a long and rather angry newspaper controversy, in which one side denied as strongly as the other side affirmed that M'Clure was entitled to claim priority of the discovery of the North-West Passage. It will be seen that we quoted on this subject a note from Captain Osborn's book, in which he gives the credit of the discovery to Franklin's expedition. We now gladly append an article from a notice of Sir Robert which appeared in the "Athenæum" of the 1st November 1873. It was written after the controversy had closed, and thus deals with the question at issue:—"In the following year M'Clure performed, probably, the most wonderful feat of ice navigation on record, passing round the south and west sides of Bank's Land, between the shore and the stupendous ice-fields of that inland sea, until he reached the 'Bay of God's Mercy' on the northern coast. The two winters passed in this cheerless spot well nigh exhausted the provisions, and M'Clure had made all his preparations for abandoning the ship, when, on the 6th of April 1852, a party from the 'Resolution' came to his relief. The comparatively short march from the Bay of Mercy to the 'Resolution's' position off Melville Island completed the North-West Passage; and M'Clure and his 'Investigators' are the only men who have ever passed from ocean to ocean round the northern side of North America. It is, therefore, much to be regretted that any attempt should have been made, especially at such a time as this, to diminish the fame of Sir Robert M'Clure's glorious achievement. Sir John Franklin made an equally gallant attempt to solve the problem of three centuries, and fell a martyr to the cause of science. All honour to his memory and that of his brave companions! But the fact that M'Clintock found a skeleton a short distance beyond Simpson's Cairn is insufficient to justify a claim to discovery; for the poor fellow was probably unconscious of his position, and, indeed, never could have reported it. Moreover, the discoverer of the North-West Passage must be one who has made it by sailing, or walking on the ice, from ocean to ocean. This was done by M'Clure and his 'Investigators,' and by them alone. The discoverer's commission as Post-Captain was dated back to the day of his discovery, and he received the honour of knighthood. It never was more worthily bestowed. A select committee of the House of Commons reported that Sir Robert M'Clure and his companions 'performed deeds of heroism, which though not accompanied by the excitement and the glory of the battle-field, yet rival in bravery and devotion to duty the highest and most successful achievements of war.' Accordingly, a reward of £10,000 was granted to the officers and crew of H.M.S. 'Investigator' as a token of national approbation.

"Sir Robert M'Clure, while in command of H.M.S. 'Esk,' afterwards did excellent service during the Chinese war. This was the last time he was actively employed. When he died somewhat suddenly on the 17th of last October, he had obtained the rank of Vice-Admiral, and he received a Companionship of the Bath for his services in China.

"The funeral of the brave discoverer took place in Kensal Green Cemetery on the 25th, when many brother Arctic explorers assembled round his grave.

"In this generation there are very few men who have achieved more lasting fame than Robert M'Clure. We earnestly hope that the nation will see that his widow receives a pension in proportion to the services of the illustrious dead."



the military profession as distasteful, he was placed in the naval service, and served on board the "Victory," the "Hastings" (home station), the "Niagara" (on the lakes of Canada), and the "Pilot" (coast of North America and the West Indies). In 1836, having attained the rank of lieutenant, he volunteered to join the expedition then setting out to the Arctic Seas, under Sir George Buck. On his return he was made lieutenant of the "Hastings," which conveyed Lord Durham to Canada, where M'Clure signally distinguished himself by successful operations against a strong band of freebooters, which he completely dispersed, having taken prisoner their notorious leader Kelly, for whose capture the British Government had offered a reward of £5000. This reward, however, M'Clure never received, the Government declining to pay, on the grounds, as it is alleged, that the capture was made on the American side of the frontier. He was next employed as superintendent of the Quebec Dockyard, subsequently in the Coast-Guard Service, in the command of the "Romney," which he retained till 1846. In 1848 he joined Sir J. Ross's expedition in search of Sir John Franklin. On this expedition the "Enterprise," of which M'Clure was first lieutenant, and the "Investigator" sailed on the 12th June 1848, but were obliged to return from their perilous operations without success in November 1849, when M'Clure was promoted to the rank of commander in consideration of distinguished services. In 1850 another expedition to resume the search having been determined upon by Government, he was appointed to command the "Investigator," Captain Collinson, C.B., commanding the "Enterprise" as senior officer of the expedition. On the 20th of January 1850, this Arctic squadron sailed from Plymouth. The two ships kept together for some time, but were at last finally parted by a gale in the Straits of Magellan. The "Investigator" proceeded alone, and the narrative of her voyage, edited by Captain Sherard Osborn, C.B., is one of the most interesting that has ever appeared in the annals of Arctic exploration. On the 31st of June M'Clure met Captain Kellett, of the "Herald," in Behring's Straits, and the former having given up all hope of meeting the "Enterprise," it was decided that the "Investigator" should part company and proceed alone. They reached Cape Bathurst on the 31st of August, and Cape Parry on the 6th of September. Here new land was discovered, which was named "Baring Island," after the then First Lord of the Admiralty, Sir Francis Baring (Lord Northbrook). The supposition that it was an island, however, was afterwards found to be erroneous, as it turned out to be connected with Bank's Land. Thence they passed up a strait which was named Prince of Wales's Strait, the land on the other side being named after Prince Albert. When within twenty-five miles of Barrow Strait, a north-west wind drifted the ice upon them, blocking up their passage. A floe grazed the ship, and it finally drifted back many miles, till it was frozen in on the 30th of September, having accomplished, in the words of Sir Edward Parry, "the most magnificent piece of navigation ever performed in a single season, and which the whole course of Arctic discovery can show nothing to equal." From the 10th to the 21st of October preparations were made to despatch a sledge-party to the northward to reach Barrow Strait, and positively to assure themselves of their having discovered a north-west

passage. Having "housed over" the ship, and left her in charge of Lieutenant Haswell, Captain M'Clure, on 21st of October 1850, started with a sledge manned by six men for Barrow Strait. On the 26th of October Captain M'Clure and his party pitched their tents on the shores of Barrow Strait. Having started before sunset they ascended a hill 600 feet above the sea-level, and patiently awaited the increase of light to reveal the long-sought-for North-West Passage. "As the sun rose, the panorama slowly unveiled itself. First the land called after H.R.H. Prince Albert showed out on an easterly bearing; and from a point, since named after the late Sir Robert Peel, it evidently turned away to the east, and formed the northern entrance of the channel upon that side.

"The coasts of Bank's Land, on which the party stood, terminated at a low point, about twelve miles further on, thus forming a part of, and connecting itself with, that land, the loom of which had been so correctly reported and so well placed on our charts by Sir Edward Parry's expedition, more than thirty years before. Away to the north, and across the entrance of Prince of Wales's Strait, lay the frozen waters of Barrow, or, as now called, Melville Strait; and raised, as our explorers were, at an altitude of 600 feet above its level, the eyesight embraced a distance which precluded the possibility of any land lying in that direction between them and Melville Island.

"A North-West Passage was discovered! All doubt as to the existence of a water communication between the two great oceans was removed; and now alone remained for Captain M'Clure, his officers and men, to perfect the work by traversing a few thousand miles of *known* ground between them and their homes."

In a note to the above extract from Captain Osborn's book, he thus writes in reference to Sir John Franklin's expedition:—"The subsequent recovery, by Captain Sir Leopold M'Clintock, of the relics and records of the expedition under Sir John Franklin, proved that his ill-fated crew, coming from the Atlantic, did in the year 1848 perish on the coast of America, on or about the mouth of the Great Fish River. That position has been long known to communicate directly with the Pacific Ocean by way of Behring's Strait. The priority of the discovery of the North-West Passage clearly, therefore, belongs to Franklin's expedition; but the credit of discovering two other water communications, ice-choked though they be on either side of Bank's Land, between the waters of the Atlantic and Pacific, belongs to Sir Robert M'Clure."

On the 31st they had returned to the ship, having travelled 156 miles in nine days. For ten months the "Investigator" was ice-bound. In July 1851, M'Clure blasted the floe with gunpowder, and was once more free; but the northern passage was still closed with ice, so he retraced his way southwards, and turned northward round the western coast of Barrow Island, and, after innumerable perils, reached Mercy Bay, where they were again frozen in on the 24th of September. The privations endured by M'Clure and his crew till their final relief in April 1853 were almost unparalleled in the history of Arctic exploration. Their rescue from what seemed inevitable death was due to the fortunate discovery by M'Clintock of a notice left by M'Clure on Melville Island. M'Clure was still unwilling to abandon his ship,

hoping yet to be able to accomplish the passage with her. Part of his crew returned with Captain Kellett, and eventually McClure, having lost all hopes of extricating the "Investigator," left her to her fate and returned home. His reception in England was such as was due to a man who, by one of the greatest Arctic achievements on record, had secured to the Royal Navy and to Great Britain the imperishable renown of having successfully accomplished an enterprise long attempted in vain. The well-merited honour of knighthood was conferred upon him, and the substantial reward of £5000. He afterwards served in the Chinese Seas, as stated in the note on page 137.

THE RIGHT HON. SIR JOHN LAIRD-MAIR, BARON LAWRENCE.

BORN A.D. 1811.

THE Right Hon. Sir John Laird-Mair Lawrence, Baron Lawrence of the Punjab, and of Grately, Hants, in the Peerage of the United Kingdom, G.C.B., G.C.S.I., P.C., and a Baronet, Chairman of the Metropolitan Board of Education, and formerly Governor-General of India, was born March 4, 1811. His Lordship is the sixth son of the late Colonel Alexander William Lawrence, son of William Lawrence of Portrush, county Antrim, some time Governor of Upnor Castle, Kent (who died in 1835), by Letitia, daughter of the late Rev. George Knox, Rector of Strabane, county Tyrone. He received his early education at Foyle College, Londonderry, and at the East India College, Haileybury, where he highly distinguished himself, carrying off the law medal, the history prize, and three prizes for proficiency in Oriental languages. He obtained his nomination to India as a civil servant in 1829; and in 1831, he became Assistant to the Chief Commissioner and Resident at Delhi. He subsequently filled a variety of offices, chiefly in connection with the collection of the revenue in the north-west provinces, until February 1840, when he proceeded to Europe on furlough. In December 1842 he returned to India, and was appointed Commissioner of the Delhi Division. It was not until 1845, when Mr John Lawrence was thirty-five years of age, that he first attracted the special notice of the Governor-General. The first Sikh war had broken out, and Lord Hardinge, who was marching through the Delhi Division towards Sikh territory, duly appreciated the energy and promptitude with which supplies were furnished to his camp by Mr John Lawrence. Meantime, great powers of administration and organisation were being displayed by the Commissioner: and at the conclusion of the campaign in 1846, he was appointed by the Governor-General to the important post of Commissioner of the Trans-Sutlej provinces. In this trying position he displayed administrative powers of the highest order. By the exercise of great ability and perseverance, he succeeded in reducing the provinces under his charge into a state of order, political and social, from an almost hopeless condition of anarchy and confusion. But his efforts were interrupted by the general insurrection in the Punjab, which



followed on the assassination of the English envoys, Mr Agnew and Lieutenant Anderson, April 18, 1848. After the final defeat of the Sikhs by Lord Gough at Goojerat, February 21st, 1849, their territory was surrendered into the hands of the British, and was declared by Lord Dalhousie to be thenceforth annexed to our Indian empire. Accordingly a Board was formed for the administration of the Punjab, consisting of three members, namely, Sir Henry Lawrence, Mr John Lawrence, and Mr Charles Grenville Mansel. The Board worked on till 1853, when Lord Dalhousie abolished it, and appointed Mr John Lawrence to be Chief Commissioner of the Punjab. From 1853 he ruled the Punjab alone until 1858, when he returned to England, and obtained a Baronetcy as a reward for his services during the mutiny of 1857. He was then appointed to a seat in the new Indian Council, and on the death of Lord Elgin in 1863 he was created Viceroy and Governor-General.

We now proceed to fill up in detail the foregoing brief outline of Lord Lawrence's career, and we approach the task with no ordinary feelings of diffidence. In a country of such vast extent as British India, embracing, as it does, a population of over two hundred millions, differing in race, religion, and customs, it is not unreasonable to expect a great diversity of opinion on all questions of social and political importance. This not unnatural diversity of opinion, sufficiently perplexing in itself, is considerably increased by the inveterate hostility which has at all times prevailed, and will never, perhaps, be entirely extinguished, between the two rival sections of which the administrative machinery has been, and is still to some extent, composed. The military section, clinging devotedly to the old regime, denounce their civilian rivals and supplanters as "the curse and bane of the country." The civilians, on the other hand, no less bitterly hurl back defiance; they seem, in fact, to have complacently adopted the "*Cedant arma togæ*" motto of the great Roman citizen, with all his vanity, and with little of his just pretensions. But the evil goes further still, and the spirit of discord manifests itself in their own ranks; and for want of more legitimate foes, civilians and military alike do battle amongst themselves. The other classes of society, too, not included in the civilian section or paid servants of the Crown, lawyers, merchants, tea, and indigo planters, *et hoc genus omne*, seem to agree on one point only, namely, to differ most inconceivably on every conceivable subject. Amid this general chaos, it is not to be expected that much harmony should prevail amongst the different organs of public opinion; and although the press of India has been and is generally conducted with great ability and independence, it is not easy at all times to arrive at any certain conclusions amidst its conflicting utterances on the merits and demerits of the men and measures of the day. It was no wonder, then, that Lord Lawrence, when Viceroy, declared that it was utterly impossible to please everybody, or give anything like general satisfaction in the government of India. Lord Mayo's success may, indeed, be attributed mainly to the fact that he examined everything for himself, and exercised an independent judgment on all important questions of foreign and internal policy. One great advantage he certainly enjoyed over his predecessor—the advantage of long training in an

imperial school of statesmanship. His Parliamentary and official experience gave him an insight into men as individuals and in parties, the want of which was, perhaps, the chief defect in Lord Lawrence's qualifications for the high post of Governor-General of India. But, though venturing to give this opinion, we must again and again impress on our readers the great difficulty of forming a correct judgment on any question of Indian politics. Too much stress cannot be laid on the foregoing considerations, trifling as they may appear at first sight; and before leaving the subject, we cannot resist the temptation of reproducing here a portion of Dr Russell's witty but truthful sketch of Anglo-Indian pundits in his "Diary in the East," especially as it is expressly connected with the subject of this memoir:—"Already my Indian difficulties commence. There are pundits on board, and learned ones. They have spent their lives in Hindoostan among the people. They have mastered their languages—they have administered justice from the day when, very babes in the Company's swaddling-clothes, they began their lives in India. Do they agree on any one point connected with the mutinies or with the character of the people? Not one. There is one man who has been the annual historian of the Punjab, who believes that the only salvation for India is the application of the system of the Punjab and John Lawrenceism to all India. There is another who has passed a long career of active governmental life in Bengal, who declares that the attempt to introduce such a Lawrencecratic, irresponsible, and arbitrary rule, would convulse his beloved province to the very centre. One man 'hates the rascally Mahomedans,' and says there will be no safety for us till they are 'put down,' but whether into the earth, or by what process, he does not indicate. Another thinks that, after all, the Mahomedan can be made something of, if a career is opened to him; but that those slimy, treacherous Hindoos, with their caste, and superstitions, and horrid customs, constitute the real difficulty of the Government. Our American friend, 'though opposed to slavery in general terms,' thinks the system of slave labour could be introduced with advantage into your British possessions in the East, and quotes a few passages in support of his views from the Old Testament. Meantime, sitting almost apart from the rest of the passengers, a few Englishmen, whom no one noticed, shook their heads as they listened, but the civilians took no thought of them. They had the brand of wicked, interloping, jealous Cain upon them. They were traders, merchants, indigo planters, and such like, who viewed with as much prejudice and antipathy the servants of the Government under which they lived, as the latter exhibited in their demeanour for men who were undoubtedly developing the resources of the country in which they were passing the best part of their lives, and making fortunes. All the evils that afflict India were and are, according to these gentlemen, the direct results of the rule of the Company. Why should they not be permitted to bring in their capital, and purchase the soil of India? Why should they not be magistrates, and sit on the bench, and adjudge disputes between themselves, or their representatives, and the native land-holders or labourers? Why should they, as Englishmen, not be exempted from the operation of the ordinary tribunals of the land in which they lived, and have



special courts of their own, as being peers and nobles of a natural aristocracy, placed among serfs and ignobles?"\*

When the mutiny was fairly over, and order was restored in the country, Mr Lawrence returned to England amidst general acclamation, to receive the rewards which were justly due to one of the saviours of India. It was, no doubt, owing to his services during the mutiny that Lord Lawrence gained that high reputation which earned for him the title of "Saviour of India;" but it would be unfair at the same time not to give him full credit for his wise and vigorous administration of the Punjab during a period of nine years before the mutinies; and as his administration when Viceroy has been chiefly judged by his measures in that province, it will be necessary to take a brief survey of the early portion of his service, and the influence it is supposed to have had on his views and policy when he was appointed to administer the affairs of the Punjab, and of the condition of that province at the time of its annexation.

It will be seen, from our introductory sketch, that for nearly twenty years of his earlier career, Lord Lawrence was chiefly engaged in the revenue department of the north-west provinces, and the line of policy which he adopted in his government of the Punjab has been ascribed to the ideas which he imbibed from his early training under what has been called the "north-west provinces system." The nature and results of this system have been stated at great length and with much ability by a writer in the *Calcutta Review*, for the year 1869; and although we do not adopt his views as to the impolicy of the system, his account of its objects and effects may be accepted as accurate and impartial, so far as we are able to judge, on this much-vexed question of Indian politics. The importance of the subject in connection with Lord Lawrence's subsequent career, and his character as a statesman, will be the best excuse for giving a few extracts from this *Review*, which was written after the close of his Lordship's Viceroyalty:—"The revenue settlement of the north-west provinces is, perhaps, an obsolete question now-a-days; but without attempting to revive the discussions of a past generation, it may be advisable to indicate very generally the great social revolution and practical transfer of landed property from one class to another which were involved in what has been familiarly known as the north-west provinces' system; inasmuch as it was the notions which Sir John Lawrence imbibed during his training in the north-west provinces that ultimately damaged his reputation as a statesman, and led to those personal detractions and aspersions with which he was assailed by the Indian press during a considerable part of his viceregal career." The writer, then, in support of his views, proceeds to give a sketch of the landed aristocracy of Hindoostan, which he maintains was an aristocracy respected by the people, and capable and willing to render good service to the British Government, which had delivered them from the tyranny and oppression of the Mahrattas. After drawing a picture of the state of affairs in the north-west provinces during the period of lawless anarchy which characterised the days of Mahratta

\* "My Diary in India, in the year 1858-59," vol. i., chap. 4. By W. H. Russell, LL.D.



ascendancy; and alleging that the landlords held their lands by the same right that the British Government held their territories, namely, that of the sword and the sword alone, the reviewer thus describes the objects and results of the north-west province system:—"The north-west settlement was undertaken and carried out some thirty years after the campaign of Lord Lake. It simply ignored the rights of the sword, and attempted to settle the country by the light of land-tenures, which belonged to an obsolete order of things. It was carried out under the idea that a landed aristocracy was a mistake, and that it was better that British officials should perform the part of landlords, and be brought into direct contact with the cultivators. The rights and wrongs of this policy have been discussed *ad nauseam*. The result of the investigation and settlement was that the aristocracy was shorn of its possessions, and the famine of 1837 completed the good work which the settlement had begun. In a word, we abolished the landlords, and encouraged and fostered the money-lenders, and introduced all the tender mercies of law and regulation. We are told, however, that the country has prospered from this date, but we hold that this proposition proves nothing. Lord Macaulay tells us that after a large proportion of the population of Ireland had been literally massacred by Oliver Cromwell, the country began to prosper; but he does not thereby leave his readers to infer that the massacre of the Irish was a justifiable measure. The fact is, that any foreign interference with existing institutions, such as land, marriage, or religion, is always dangerous, and frequently productive of evil. Such institutions form part of the national growth, and are often essential to the national being. The result of the destruction of the aristocracy by our settlement operations has deprived the British Government of the loyal support in the hour of trial of the most influential class of the native community, and has rendered the extension of British empire obnoxious to the popular sentiment, because it has been accompanied by the rapid disappearance of the old landed nobility." Whether this be a true account of the "north-west province system" or not, it is not easy even at the present time to determine.

On the wisdom of that policy we offer no opinion; but, whether right or wrong, it seems to have been the policy adopted by Mr Lawrence in his administration of the Punjab, and to have been productive of the most salutary results. When that country became annexed to our Indian empire, its condition differed in no material degree from the old state of things which prevailed in the north-western provinces. It is alleged that Sir Henry Lawrence, who had been resident in Lahore since 1846, and was President of the new Board of Administration, wished "to deal tenderly with the old Sikh aristocracy; whereas Mr John Lawrence, who had been imbued with the north-western system, was apparently prepared to wipe it away altogether." Lord Dalhousie, the Governor-General, was a statesman of the thoroughly English type. He had little faith in Asiatics, and no sympathy with their ideas and aspirations; and although a member of the aristocracy of Great Britain, he entertained but small respect for the aristocracy of India, and failed to perceive the important part it might be called to play in the extension and consolidation of the English empire in the east. He

was a profound believer in modern European civilisation, as the grand panacea for all political and social evils; and inspired with this belief, he did more towards developing the resources of India and of promoting the national prosperity of her people than any other statesman had ever done before. The Punjab was a new province, and it was the ambition of Lord Dalhousie that it should be a model province. Under such circumstances, the Board at Lahore could scarcely be expected to work well. The three members undertook separate branches of the administration, but were actuated by different principles and ideas. Sir Henry Lawrence conducted all the political business with the Punjab chiefs, while John Lawrence superintended the revenue administration; and some clashing was, therefore, to be expected, and seems to have taken place. Ultimately, Lord Dalhousie appointed John Lawrence to be the Chief Commissioner of the Punjab, and provided for Sir Henry Lawrence elsewhere.\*

It is not intended here to offer any opinion as to the relative merits of the two brothers in point of statesmanship; it is sufficient to say that Lord Dalhousie decided in favour of the policy advocated by Mr John Lawrence, and that in carrying out the views of the Indian Government, nothing could have been more successful than the efforts of the Chief Commissioner of the Punjab from 1853 until 1858. It may be true, for all this, that Sir Henry Lawrence was by far the greater and wiser statesman of the two, and that (as the reviewer already referred to contends) had his counsels been followed, annexation to the British empire would have been a popular aspiration throughout India, and the mutiny of 1857 would never have attained the importance of even a military revolt. But we have to deal with facts, and not theories, and the verdict of the country has been given in favour of Lord Lawrence, and completely vindicated his character from the strictures of some of his Anglo-Indian critics. Some slight idea of the labours of the Commissioners on their appointment in 1849 may be formed from the fact that the superficial area of the country is 50,400 square miles, and that it contains a vast population, partly military and partly agricultural, of various races and religious creeds, who all "hated every dynasty except their own, and regarded the British as the worst, because the most powerful of usurpers." Under their former sovereign, Runjeet Singh, the administration was in the most deplorable condition; there was scarcely a crime for which immunity could not be purchased by bribes; while the oppressive exactions of the provisional governors who farmed the taxes were unchecked. The first labour undertaken by the Commissioners was to organise "a comprehensive system of law and justice, and of social and financial improvement throughout the Punjab. It was found necessary to disband the Sikh soldiery, though many of them afterwards entered the British service; and an irregular force, consisting of ten regiments, was raised for the protection of the western frontier." In consequence of these measures, at the end of two years, the Board was able to report to the Governor-General, "that the entire British system and its institutions were thoroughly introduced into the Punjab." Such triumphant

\* The "Calcutta Review," 1869.



results in so short a time seem almost incredible, but the statements of the Commissioners' Report as to the desperate condition of affairs in 1849, and the improvement accomplished in 1851, are fully borne out by the fact that in the mutiny of 1857 the province remained faithful to British rule, and mainly contributed to the preservation of our Indian empire. As before stated, Lord Lawrence was appointed Chief Commissioner and agent to the Governor-General for the north-west frontier in the year 1853, and held this position until 1858. The part which Lord Lawrence took in the terrible crisis of 1857 has long been a familiar matter of history. Soon after the telegraph brought him the intelligence of the success of the mutiny at Delhi, all telegraphic communication with Calcutta was interrupted, and he had to act on his own responsibility altogether, and nobly he performed his work. A movable column was formed to march on any point of the Punjab where any attempt at an outbreak might occur; suspected Hindoostanee regiments were removed to the frontier, and replaced by local irregular troops; mutinies at Peshawur and Lahore were promptly crushed.

Large loans were effected in an incredibly short space of time, and a new Sikh army, consisting of 60,000 men, was raised and despatched fully equipped, under the gallant Nicholson, to aid in the recapture of Delhi. All these measures were carried out with an amount of promptitude and decision which was worthy of the master mind with which they originated. For these signal services the "Saviour of India" was rewarded with well-merited distinction. He was created a baronet, August 6, 1858, on his return to England, having been previously advanced in 1856 to the dignity of K.C.B. for his services as Chief Commissioner of the Punjab, and in 1857 to the dignity of a G.C.B. for his services during the mutiny. In 1858 he was sworn a member of the Privy Council, and on the creation of the Order of the Star of India was made a G.C.S.I. He also received the thanks of Parliament, and a pension of £2000 a-year from the East India Company. On the construction of the new Government of India he was appointed a member of the new Indian Council. In December 1863, he succeeded the late Lord Elgin as Governor-General of India. Arriving at Calcutta in January 1864, the new Viceroy was received with a more universal demonstration of welcome than had been accorded to any previous Governor-General. Immediately on his arrival, he set himself vigorously to work to clear off the arrears which had accumulated in consequence of the sickness of his predecessor. Endowed with an immense capacity for dealing with details, he soon gained a high reputation as a "working" Viceroy. His great experience as Chief Commissioner of the Punjab gave him a special qualification to discharge the most laborious, though not, perhaps, the most important duties of his high office. He exercised the most salutary supervision over all the public departments, and his administration in this respect was most complete and thoroughly efficient. No branch of the service could now complain of inattention or want of sympathy at Government House; and Lord Lawrence could not be accused, as Lord Elgin was, of outraging experienced officials by declining to discuss with them any question of Indian administration. So far things worked smoothly



enough, but the unofficial portion of the community soon began to express their dissatisfaction. A true viceroy, in their opinion, should have a soul above figures and dry details, and the military croakers indignantly asked, What could be expected from the stupid attempt of Sir Charles Wood and other home-bred politicians to make a Governor-General out of a mere civilian? To this inquiry we vouchsafe no answer. The suggestions already made may be of some help in estimating the true value of opinions emanating from such a quarter. What a viceroy ought to be, so as to give general satisfaction, it is not very easy to determine. An eloquent writer in a Calcutta paper gives us his idea on the subject:—"A viceroy of India should be a statesman educated in imperial views, endowed with high moral courage and intellectual sagacity, grave and deliberate in council, but prompt and resolute in action, dignified and gracious on all occasions, and ever forgetful of all private and personal considerations, whilst performing the arduous but honourable duty of representing our Sovereign Lady Victoria, in the Government of the empire of India, and control of its various principalities." This seems a standard, in all conscience, sufficiently high; and we will merely observe in connection with it, that "the head and front" of Lord Lawrence's offending was that he had not been duly initiated into the mysteries of St James's, and was not endowed with the true imperial spirit of a British statesman. It has also been urged against him by some of his critics that he was too indecisive and vacillating, and overcautious in action. Others blamed him for being too determined once he had taken a notion into his head. In the "Oude unsettlement question," as it was called, he was censured for pernicious activity, while others characterised his viceroyalty as a period of "masterly inactivity." His hesitation in granting a subsidy to Shere Ali Khan, and so interposing an effectual barrier against Russian attempts on British India, was made the subject of the most hostile criticism and denunciation. Not that the Calcutta oracles were of one voice on the subject of "Central Asia," nor were the boarding-house politicians and old ladies of Chowringhee at all agreed that, if the viceroy hesitated much longer in stopping the gap on the western frontier, the Russian bear would ere long be reclining under a punkah in Government House. That there were not occasional mistakes in his administration it would be absurd to maintain, but in the spirit of fair play, we must protest against the indiscriminate censure which has been pronounced on many portions of his viceregal career. He might, no doubt, have more promptly interfered for the relief of the Orissa famine, and his action with respect to the Bombay Bank is perhaps open to the same remark. But it still remains a difficult question to determine who was responsible for these sad disasters, which brought so much obloquy on the British Government in India. His foreign policy was cautious, but ultimately successful. The pernicious results of Lord Auckland's interference in the affairs of Afghanistan were naturally calculated to make him careful in his dealings with Afghan princes; but having once accepted the recognition of Shere Ali as the legitimate ruler of Cabul, he steadily adhered to that policy, and finally granted him a subsidy. In his dealings with the native states within the frontier during the five years of his administration, he maintained sound

and healthy relations between them and the British Government. In the Public Works Department he exerted himself vigorously to correct abuses, and initiated important measures of reform, which were afterwards so successfully carried out by Lord Mayo. Lord Lawrence devoted himself with great zeal and success to the advancement of education. The agricultural and commercial interests of the country also received his most careful attention. The relations between revenue and expenditure were favourably adjusted, and although the outlay was liberal the condition of the finances was satisfactory. The military administration, too, was most successful. We now proceed to Lord Lawrence's measures in Oude. Although we have not been able to discover any evil consequences flowing from the viceroy's interference with the land tenures of that province, which had been settled by Lord Canning in 1856 and 1858, it seems to have been impolitic, under the circumstances, to have disturbed a state of things with which, so far as we can learn, all parties in Oude were satisfied. Few questions, however, excited such an amount of political ferment at the time; and the press generally condemned Lord Lawrence's interference as uncalled for, and likely to produce the most pernicious results. The "Calcutta Review" for 1869, appears to give the fairest account of the question, and we give a brief summary of its remarks on this important subject. When Sir John landed in India in 1864 there had been two landed settlements in Oude, one in 1856 and the other in 1858. The settlement of 1856 was carried out immediately after the annexation, much in the same spirit as that which had been made in the North-West Provinces and the Punjab. The settlement of 1858 made by Lord Canning, as Governor-General, immediately after the mutiny, seems to have worked well during the last four years of his administration; and again, during the government of Lord Elgin, in 1862 and 1863, the question of land tenures seemed at rest for ever. All parties, Talookdars, sub-proprietors, and village occupants, if not in all cases satisfied with the extent of their holdings, were at any rate under the full impression that their status was final, and never would be disturbed. This was the settlement which Sir John Lawrence deliberately upset, on the ground that the rights of inferior zemindars and village occupants had not been sufficiently recognised by the settlement made six years before in 1858. It was urged upon him that no complaints had proceeded from the classes he sought to benefit, and that the settlement had been fully accepted by the people of Oude. A special commission had reported that no such rights as those proposed to be established ever existed in the country; but in the face of these facts Sir John Lawrence, true to his old North-West Province ideas, adhered to his own convictions, and for two years, namely, from 1864 to 1866, the "unsettlement of Oude" was the great question of the day. At length in 1866, a so-called compromise was effected; . . . but whether this compromise would continue to stand, or whether it would ultimately be found necessary to modify it, or set it aside, the reviewer would not venture to say.\*

In his social arrangements, Sir John Lawrence took little pains to gain popularity with the residents of Calcutta; and his triumphs in

\* Calcutta Review, 1869.

Government House were of a very different order from those of society. If left to his own inclinations, he would, perhaps, have gladly dispensed with all that pomp and display, which have from time immemorial been expected from the representatives of the British Crown in our Eastern dominions. On his return to England he was raised to the Peerage, with the title of Baron Lawrence, of the Punjab, and of Grately in the county of Southampton. He also received the honorary degrees of D.C.L. and LL.D. from the Universities of Oxford and Cambridge.

His lordship married, in 1841, Harriett Katherine, daughter of the Rev. Richard Hamilton, rector and vicar of Culdoff, in the county of Donegal.

## THE DUKE OF ABERCORN.

BORN A.D. 1811.

SIR JAMES HAMILTON, K.G., P.C., Duke Châtellerault in France, heir male of the house of Hamilton, was the eldest son of James Viscount Hamilton, by the second daughter of the late Honourable John Douglas. He was born on 21st January 1811, and succeeded his grandfather as Marquis of Hamilton in 1818; he married, in 1832, Lady Lousia Jane Russell, second daughter of John, sixth Duke of Bedford. He was educated at Christ Church, Oxford, and created an honorary D.C.L. of that University in 1856. His Grace, who held the office of Groom of the Stole to H.R.H. Prince Albert, was, on the accession to power of Earl Derby's administration in 1866, appointed Lord-Lieutenant of Ireland, which office he retained till 1868, when he was created Duke of Abercorn. He was created an honorary LL.D. of Trinity College, Dublin, in 1868, and was Grand Master of the Order of St. Patrick during the same period. He is Lord-Lieutenant and Custos Rotulorum of the County of Donegal, Colonel of the Donegal Militia, and Major-General of the Royal Archers (the Queen's body guard of Scotland). The title of Baron of Paisley was created in 1587; Baron of Abercorn, 1603; Baron of Hamilton and Earl of Abercorn, 10th July 1806, in the peerage of Scotland; Baron of Strabane, &c., 2d December 1701, in the peerage of Ireland; Viscount Hamilton, 1786; Marquess of Abercorn, in Great Britain, 18th October 1790; Marquess of Hamilton and Duke of Abercorn, in the peerage of Ireland, 10th August 1868.

The noble family of Hamilton is said to be descended from Sir William de Hameldon, one of the youngest sons of Robert de Bello-mont, third Earl of Leicester; Sir William de Hameldon's son, Sir Gilbert de Hamilton, having expressed himself at the court of Edward II. in admiration of King Robert Bruce, received a blow from John de Spencer, which led the following day to an encounter, in which Spencer fell, and Hamilton sought security in Scotland, about the year 1323. Being closely pursued, however, in his flight, he and his servant changed clothes with two wood-cutters, and taking their saws, were in the act of cutting through an oak tree when his pursuers passed by. Perceiving his servant notice them, Sir Gilbert hastily cried out to



him, "Through!" which word, with the oak and saw through it, he took for his crest, in commemoration of his deliverance. This is the account which has been transmitted through tradition; but Sir Bernard Burke thinks it more probable that the ancestor of the family of Hamilton was one of the youngest sons of Robert, second Earl of Leicester, who was the son of Robert de Bellomont, first Earl of Leicester in England, and Count of Mellent in Normandy, by the daughter of Hugh, Count of Vermandrois, son of Henry I., King of France.\*

Sir Gilbert de Hamilton, the immediate ancestor of this great family, lived in the reign of Alexander II. of Scotland, and he married Isabella Randolph, sister of Thomas Randolph, Earl of Moray. His son, Sir Walter Fitz-Gilbert Hamilton, swore fealty to King Edward I. in 1292-1294. Attaching himself to King Robert Bruce, he had divers grants of lands; among others the Barony of Kenel (Kinniel) and that of Cadzow (Hamilton), which became the chief lordship and seat of the Hamilton family.

Sir David Hamilton, second Lord of Cadzow, was made prisoner at the battle of Durham in 1346. In 1361 he was a benefactor to the see of Glasgow. He was one of the Magnates Scotiæ who consented to the settlement of the Crown in 1371. Sir James Hamilton, fifth Earl of Cadzow, being one of the principal nobles of Scotland, was a hostage for the ransom of King James I. from England in 1424. Sir James Hamilton, the sixth Earl of Cadzow, was created a Lord of Parliament, by Royal Charter, 28th June 1445, as Lord Hamilton. He married in 1474 the Princess Mary, eldest daughter of James II., and relict of Thomas Boyd, Earl of Arran. His son, James II., Lord Hamilton, obtained a charter of the lands and earldom of Arran, dated 10th August 1503. This nobleman, who took a prominent part in the affairs of Scotland, was constituted lieut.-general of the kingdom, warden of the marches, and one of the lords of the regency in 1517. His son James, second Earl of Arran, on the death of James V., in 1542, was unanimously chosen Regent of Scotland by the nobles assembled for that purpose, the public voice applauding their choice; the next year he was declared by Parliament heir presumptive to the crown, appointed guardian to Queen Mary, and governor of the realm during her Majesty's minority. In 1548 his Lordship was invested with the French Order of St. Michael, and made in 1549, by Henry II. of France, Duke of Châtellerault, in Poitou.† This dukedom, with a considerable pension, was, according to Sir Walter Scott, conferred upon him by the French king, in order to induce him to consent to the projected match between Mary, the infant queen of Scotland, and the Dauphin of France. James III., Earl of Arran, upon the arrival of Queen Mary in 1561, openly aspired to her hand, "but opposing the Queen's free exercise of her religion, and entering a protestation against it, his lordship entirely forfeited her favour." His love, however, inflamed by disappointment, and his impatience exasperated by neglect, gradually preyed on his reason, and after many extravagancies, broke out at last in ungovernable frenzy. He was inconsequence

\* Burke's Peerage and Baronetage (1873).

† Burke's Peerage and Baronetage (1873).

declared to be in a state of insanity by the cognition of an inquest passed on a brief directed out of the Court of Chancery, and the estates of his deceased father devolved on his brother, Lord John Hamilton, who with his younger brother, Claud, was banished from Scotland in 1579, but returned in 1585, the Act of forfeiture which had been passed being annulled. He was elevated to the peerage, in 1599, as Marquess of Hamilton. This nobleman remained fast in his allegiance to the unhappy Queen Mary; and so conscious was the unfortunate princess of his fidelity, that one of her latest acts was to transmit to him a ring (which is still treasured in the family) through the medium of an attendant. His son, James, the third Marquess, was created in 1643 Duke of Hamilton. His Grace, actively espousing the cause of Charles I., was defeated and taken prisoner at the battle of Preston, and was beheaded in Old Palace Yard, 9th March 1649. He was succeeded by his brother William, who received a mortal wound in the service of Charles II. at the battle of Worcester. By Cromwell's Act of Grace, passed in 1654, he was excluded from all benefit thereof, and his estates were declared forfeited, save as to a sum of £400 a year for his duchess for life, and after her death, £100 a year to each of his four daughters and their heirs for ever. At the death of William, second Duke of Hamilton, the male representation of the great house of Hamilton devolved on his grace's kinsman and next male heir, James Hamilton, second Earl of Abercorn. This nobleman had been previously advanced to the Peerage of Ireland, 8th May 1617, by the title of Lord Hamilton, Baron of Strabane. Claud Lord Strabane, fourth Earl of Abercorn, attended King James II. after the Revolution from France, and was sworn of the Privy Council upon his arrival in Dublin. His Lordship, after the battle of the Boyne, having embarked for France, perished on the voyage. In 1691, he had been outlawed, and forfeited the estates and title of Strabane; but the earldom of Abercorn devolved on his brother Charles, who succeeded likewise to the title and estates of Strabane, the attainder having been reversed. Charles, the fifth Earl, having died without issue, the honours and estates devolved on his kinsman, James Hamilton, who declined assuming the title of baronet, but was known as Captain Hamilton. He was in the military service of James II.; but espousing the cause of William, took a distinguished part at the siege of Londonderry against his royal master. Succeeding to the earldom of Abercorn, he took his seat in virtue thereof as a member of the Scottish Parliament. Ireland, however, was the usual place of his residence, and of that realm he was created Baron Mountcastle and Viscount Strabane. He married, in 1686, Elizabeth, daughter and heiress of Sir Robert Reading, Baronet, of Dublin, by whom he had issue nine sons and four daughters. His eldest son, James, was the eighth Earl, who died without issue, and was succeeded by John James as ninth Earl, who was created Marquess of Abercorn, and subsequently installed a Knight of the Garter. His son James was the father of James, the present Duke of Abercorn.

During his short tenure of office as Lord-Lieutenant of Ireland, the duke of Abercorn won the respect and confidence of all classes. As a resident nobleman, he was intimately acquainted with the country he was



called on to rule as viceroy, and on all public occasions he expressed himself not as the mere mouth-piece of the party to which he belonged, but as one who had the true interests of the country alone at heart. In dispensing the patronage of his office, he was obliged, of course, to consult the wishes of the Conservative section of the community; but he endeavoured even in this, as in all other respects, to act on his own independent judgment, his sole object appearing to be to benefit his countrymen, and not to win popularity for his political chief. We have no doubt that it was the success of his administration which suggested the idea recently advanced by a very eminent man of making the viceroyalty independent of the changes of party. Whatever may be thought of this theory, one thing is certain, that the termination of the Duke of Abercorn's Irish administration, in 1868, was universally regretted throughout the length and breadth of the country. Dublin, of course, had especial reasons beyond the general good for regretting his departure from the Castle, where he dispensed his hospitalities with princely magnificence.

Amongst the many honours and marks of respect which were shown to his Excellency, there was one which deserves especially to be recorded. It may seem to some comparatively insignificant; but it was regarded at the time as a rare tribute to the merits of the Irish Viceroy, and a convincing proof, if proof were required, of the high appreciation in which he was universally held. We allude to the grand entertainment given to him by the Benchers of the King's Inns on the occasion of his being created a member of their honourable Society. The great Dining Hall of the Inns was filled to overflowing by the members of the legal profession of both branches, and amid that vast assemblage of men, representing every shade of political feeling, there seemed to be but one opinion as to the distinguished guest of the evening.

As a landowner, it has never been necessary to remind his Grace that "property has its duties as well as its rights." It would, indeed, be well for Ireland if all her landed proprietors possessed a like "fixity of tenure" in the hearts and affections of the occupiers of the soil.

On the return of the Conservative party to office in February 1874, His Grace again became the Viceroy of Ireland.

THE RIGHT HONOURABLE JONATHAN CHRISTIAN, P.C., LORD-JUSTICE  
OF THE COURT OF APPEAL IN CHANCERY IN IRELAND.

BORN A.D. 1811.

THE RIGHT HONOURABLE JONATHAN CHRISTIAN, son of the late George Christian, Esq., Solicitor, of Dublin, by Margaret, daughter of ——— Cormick, Esq., was born at Carrick-on-Suir, Tipperary, in 1811. He was educated at Trinity College, Dublin, where he graduated B.A. 1832. He was called to the Irish bar in 1834; made a Queen's Counsel in 1846; Queen's Serjeant in 1851. He was Solicitor-General for Ireland 1856-7, and a Justice of the Court of Common Pleas in Ireland 1858-67. He was appointed Lord-Justice of the Court of Appeal



in Chancery in Ireland in 1867, on which occasion he was added to the Privy Council in Ireland. He married, in 1859, Mary, daughter of T. E. Thomas, Esq., late of Newton Park, county Dublin.

Immediately on his call to the bar, Mr. Christian selected the Equity Courts as the most congenial and promising field for his operations. Like his distinguished compeer, Mr. Fitzgerald, he remained for many years almost, if not altogether, unemployed. But this "weary time of waiting," so unfruitful in one sense, was in reality a period of inestimable gain. He became thoroughly acquainted with the practice of the Courts, and added largely to his stores of legal learning, thus sowing the seeds of that rich harvest which eventually rewarded his industry and perseverance. Conscious of his powers and attainments, Mr. Christian studiously kept aloof from politics, and devoted himself intently to the requirements of his profession, confident of success, once he got the opportunity of exhibiting his great and brilliant abilities. In this he was not deceived. When the opportunity did arrive it found him thoroughly prepared. It is said that in the first case of importance in which he was engaged, he displayed such masterly skill and ability that he was complimented in the highest terms by the Chancellor, Sir Edward Sugden. A flattering notice from such a quarter produced the effect that might be expected. Business thenceforth set in so rapidly, that within a few years he was called to the inner bar, where he took his place at once amongst the foremost men.

About Mr. Christian's merits as a lawyer there can be but one opinion. It would indeed be presumptuous to attempt here any minute criticism or analysis of his unrivalled powers. Combining legal research with clearness of intellect, sound judgment, and practical ability, he displayed from the very start a union of the rarest forensic qualities. His arguments were models of clearness and logical arrangement, and his elocution was singularly graceful and effective. Every sentence was so perfectly constructed as to create the impression of the most careful and elaborate preparation. But the immense amount of his business did not admit of such preparation, and the marvel only remained how he could have gained such a command of language and a mastery of elocution as to speak as if naturally, in a style so highly polished and exquisitely wrought. The written judgments which he has pronounced since his elevation to the bench are not more remarkable for their elaborate construction than his arguments at the bar. The reader can find many specimens of his peculiar and marvellous style in the "Irish Common Law Reports," from the year 1858 to 1867, and in "The Irish Chancery Reports," from 1867 to the present time. Some idea may thus be formed of Mr. Christian's rare accomplishments as an advocate. Whether his speeches at the bar, or his judgment from the bench, are models of the best and most perfect style of composition others must determine. It has, we have heard, been remarked—no doubt since the learned judge has given such umbrage in certain high quarters—that Mr. Christian at the bar "spoke on stilts," and his utterances from the bench were overspread with an "extra-judicial froth." But in spite of every detraction, it must be acknowledged that he obtained his elevation by qualities more solid, and accomplishments more valuable, than a stiff and stilted style or frothy declamation; and his decisions

in the Common Pleas and the Exchequer Chamber, and in the Court of Appeal in Chancery, must be held in the highest estimation by all unprejudiced persons as sound and masterly expositions of the law as it prevails in those high tribunals.

As already remarked, Mr Christian took no part in the political controversies of his time ; and like his eminent rival, Mr Baron Fitzgerald, he owed his advancement altogether to his superior merits as a lawyer. It seems not quite unnatural that a man who won his high position by steadily pursuing the legitimate duties of his calling, should entertain something like a feeling of contempt for a class (so numerous at the Irish bar) whose political services constitute their chief, if not their only claims to advancement. Whether such a feeling did or did not exist, it would be extremely difficult to say ; this, however, was abundantly clear, that Mr Christian, while at the bar, had little time or inclination for close fellowship with his contemporaries, and there was none of that interchange of feeling or sympathy between them which exists between men who are constantly thrown together in the more social engagements of political life. Solely intent on the faithful and efficient performance of his professional duties, the all-absorbing claims of business were well calculated to isolate him from the world which lay outside his briefs and the precincts of the Court of Chancery. To the isolation thus occasioned may be traced that bold and uncompromising spirit which he has always evinced since his elevation to the bench, and which has been applauded by some as a spirit of manly and wholesome independence, and decried by others as an undignified exhibition of intemperance, and of want of proper consideration for the feelings of his judicial brethren. Into the merits of this controversy, it is not intended to enter in this brief notice ; it is sufficient to say, that in assuming the office of a public censor, the Lord-Justice of Appeal created a strong prejudice against himself, and his interference to correct certain abuses or irregularities which were creeping in under the new practice and constitution of the Court of Chancery, however justifiable, on the score of a conscientious discharge of his duty, produced the inevitable effect of making him unpopular with the judges and officers of the Court, who felt the sting of his polished sarcasm, or came under the lash of his vehement invective. It would, however, be idle to deny that a large majority of the practitioners in the Equity Courts fully endorsed the opinions expressed, on one memorable occasion at least, by the Lord-Justice of Appeal, however much they may have regretted that the disagreeable task undertaken by him involved personal reflections on the Chancellor, whose courtesy and urbanity had rendered him deservedly popular with both branches of the profession. In deprecating the assumption of judicial functions by the chief clerks, his lordship was only enunciating the clear and unmistakable provisions of the Chancery Act of 1867, which expressly enacted that no business of a judicial nature should be transacted by those officers. There was a case before the Court, where one of the clerks had clearly exceeded his ministerial functions, and in the teeth of the statute, had taken upon himself to decide a question of a purely judicial character. So far the Lord-Justice was clearly in the right. The inference which he drew, that what had occurred once was



likely to occur again, was reasonable enough. But the sting of his remarks lay in the allusion to the absence of the Chancellor and Vice-Chancellor at a time when, according to the legal day lists, there was a large amount of business attached to their Courts, which was left to be disposed of by the chief clerks, although it was impossible that questions requiring the decision or direction of a judge should not arise in many cases before them. Such appears to have been the simple facts of this episode in the High Court of Appeal in Chancery. We would have gladly abstained from all allusion to the subject, except for the prominence and notoriety given to it by Mr Gladstone's remarks on the conduct of Lord-Justice Christian. There was no doubt that the Premier felt deeply aggrieved at the offence given to his Irish Chancellor, whose advancement to the highest honours was fondly cherished as one of his darling schemes for making Ireland "a happy land." The Lord-Justice, too, had given umbrage to Mr Gladstone by commenting severely on a flaw in the Land Act. But it seems to have fallen within the proper scope of his duties to make the comments he did, and the flaw had to be remedied by a special Act of the Legislature, introduced and carried through the House of Lords by Lord Cairns. Such seems to have been the head and front of his offending; and if the removal of the obnoxious Lord-Justice depended on the pleasure of the head of her Majesty's Government, the strong remarks of Mr Gladstone sufficiently indicated the course he would have adopted, and Lord-Justice Christian, and, we suppose, Mr Justice Keogh, would have been consigned for the term of their natural lives to some state reformatory provided for refractory and incorrigible Irish judges. But, happily for the independence of the Irish bench, the tenure of the judicial office does not depend on the pleasure or caprice of the Minister of the day, and the good or ill behaviour of our judges must be determined in a manner more constitutional.

The following brief extracts from some of the judgments of the Lord-Justice of Appeal will convey some idea, both of his style, and of his manner of dealing with what he considered blunders of the Legislature with respect to Ireland. The judgment in *Tottenham's Estate* was delivered in February 1869; and the same bold and fearless criticism with which he commented on the Encumbered Estates Act is as apparent in that judgment as it is in his judgment in *Lord Waterford's Estates*, where his comments on the Land Act of 1870 excited the ire of Mr Gladstone. Our first extract is from his Lordship's judgment *in re Tottenham's Estate*, Irish Reports, 3 Equity Series; our second from his judgment *in re the Marquis of Waterford's Estates*, Irish Reports, 5 Equity Series, 435:—

"The Landed Estates Court is the immediate successor of the Encumbered Estates Commission. The Encumbered Estates Act was passed at an abnormal time, with certain objects, political and social, which need not here be dwelt on. Towards those objects the first and indispensable necessity was this,—to sweep from the land of Ireland, at one stroke, that incubus of complicated title and encumbrance which had been a terror or a snare to intending purchasers, and by which a large part of the island was practically withdrawn from the land market.



With this object a special (originally a temporary) tribunal was constituted, with powers hitherto unknown to the law, and especially shocking to the prepossessions of the British jurist. It was to be a great manufactory of brand-new titles. The grant of the Commissioners was so to work, that, by a sort of conveyancing magnetism, it would draw out, not merely from the owner whose estate was under sale, or from whatever other persons might intervene as parties in the proceeding, but from the absent, the helpless, the infant, the married woman, the mentally imbecile, nay, even the unborn, every particle of estate and interest, legal or equitable, present or future, known or unknown, patent or latent, in the land expressed to be conveyed, and would concentrate the whole in the purchaser, freed from everything that the conveyance itself did not save. He was told that he would go forth with a title regenerated, purified from antecedents, and which itself would be the starting-point for future derivation. And to dispel all misgiving as to the impregnability of his position, there was added that wholly unique provision in the 49th section, till then without a parallel, I believe, in our law, by which, if there was anything to be done or consented to by any human being, by which wrong could be turned into right, all Courts were enjoined to presume conclusively that such act had been done, or that such consent had been given.

"How this prodigious measure was received in this country, when it was brought forward twenty years ago, many of us are old enough to remember. Revolution—confiscation—a new Cromwellian settlement—*experimentum in corpore vili*—insult, which no Government would dare to offer to any other part of the empire, nor even to this if men of weight or authority were in its high places. These are the things which were thought and freely spoken at the time. Lord Brougham, no timid legislator in legal change, opposed the Bill by reason of this very aspect of it—its menace to ungarded rights. But the Bill became law. The Commission held its way. It was well and ably administered, as the political engine it was meant to be; not, however, without much havoc among encumbrancers and owners. . . . To apply to cases of individual grievance, wrought in the working of such an engine as I have sketched, sentiments and language which might have been appropriate if confiscation had not been legalised, and to do so for the sake of setting up a jurisdiction for the redress of such grievances—though the distinctive policy of the measure required that—if unhappily permitted to occur, they should be absolutely irreparable, is simply to blind one's self alike to the legislation and to the history of the period.

"The present case brings out in strong relief the features of what I have ventured to designate as LEGALISED CONFISCATION."

In the Marquis of Waterford's case the Lord-Justice thus concluded his judgment:—

"I must now, before concluding, record my most earnest protest against the position in which the statute has placed the judges of Ireland, from the county chairmen upwards, and of which the case now before this Court affords a signal example. The Act bears a modest and unassuming title; it is, 'An Act to amend the Law relating to the Occupation and Ownership of Land in Ireland.' Many Acts directed

to those subjects have preceded it from time to time; and in all of them, as in all legislation of that character, the ends aimed at, if not always attained, have been perspicuity and completeness—the production of a finished measure, which would leave nothing to the tribunals but their own proper duties of interpretation and enforcement. But a wholly new method has been struck out in this Bill. It is a sketch in outline. All life-giving details are left to be filled in by the judges. The case before us presents, in the impossible task which the 1st section has thrown on the Landed Estates Court, one example—the statute is full of them throughout. Look especially at the astonishing 18th section. In fulfilling this duty the judges will be in the position of judges in primitive times, who were making the laws as fast as they administered them. But we would have a very inadequate notion indeed of what the judges will be exposed to when striving to discharge this task of supplementing legislation, if we looked merely within the four corners of the statute. We must allow ourselves a glance at its external bearings, its history, and the expectations that are based upon it; and when we do so, we no longer recognise what its title would indicate, merely a measure of law reform, but one essentially of party politics. It was the subject of one of the fiercest Parliamentary contests that we have seen in our time. It has embittered the antagonism of classes. It is being eagerly watched in its working by opposing factions—the one bent on seeing in it nothing but good, the other nothing but evil. It is the measure on which the existence of a Government still in power was staked, and on the success or failure of which—now trembling on the balance—will depend the future prestige and fame of the Minister who conceived it. Placed between these aroused and hostile faces, the chairmen are called upon to take up, as it were, the thread of a but half-knitted legislation; and they will have to do it unsupported by any body of intermediate and impartial opinion, for, unhappily, nothing of that kind has existence in Ireland. This is what may be called the judicial phase, and a sinister and ill-boding one it is, of the stage which seems at last to have been entered upon in the politics of these countries, in which that institute in which it is our special function to watch over here—an institution that, till lately, was thought to stand high above or wide apart from the strife of parties—Property—has begun to be chosen as the battle-ground on which they struggle with each other for power. By this Act, for, as I believe, the first time in British history, the judges of the land are invited to be the *quasi* legislating helpers-on of a measure by which property is to be confiscated without compensation, in order to carry out the views of a particular school of controversial politics. I hold that to be unconstitutional, injurious to judicial independence, and such as would not, as yet at least, be ventured upon for either of the other branches of the United Kingdom. And with what strange infelicity (for I put it no farther) is the 63rd section made to seem to fall in with this. [The Lord-Justice read that section.] Was it wise, was it thoughtful, was it decent, that, considering the vital interest of the Government, this measure should be started with a certain bias, and that it is in the Courts of those very chairmen that are being now adjusted, once for all, the tone and spirit and impulse according to which the



statute will be for all time administered, those judges should be kept before the eyes of a suspicious and cynical people and a deeply-injured and discontented proprietary in a position of pecuniary expectancy at the hands of that very Government? Why were not those additional salaries named in the Act, and thus the judges launched on their new and extraordinary duties in that position of absolute independence of the executive in which judges should always be placed, and which the nature of those new duties so exceptionally enjoined? It was said, I believe, 'Wait till you see how much new business they will have.' I don't remember that any one added, 'and till you see how they will do it.' Did any human being doubt but that their business would be enormously and most irksomely and oppressively increased? Why, I repeat, were they not at once, and according to the whole course of precedent in the constitution of judicial offices, endowed beforehand with adequate salaries, and so made independent of all Governments whatsoever? Why are they to this hour, being, as they are, among the most important, if not the very most important, of Irish judicial officers, kept in so invidious and unprecedented a position? I fear there is no lack of people sufficiently cynical and evil-minded to be capable of insinuating that this is but a clever contrivance for swaying those judges towards the direction it was wished they should take. It is little to the purpose to say that we, the instructed, would but laugh at such a notion, for we know that there is not a man among the three and thirty chairmen of Ireland who is not high above the reach of any such contamination. Nor, indeed, do I believe that the idea ever occurred to any one connected with the Bill. I regard it as simply an unlucky piece of thoughtlessness, unless, perchance, it be an example of that sort of supercilious indifference which is so prone to show itself in the dealings of English officialism with merely Irish affairs.

"To the full realisation of the judicial aspect of this measure there is yet one fact more which it is necessary to signalise. Although the questions which may come before those Land Courts might affect in value hundreds of thousands of pounds, the common right of appeal to the House of Lords is in no case allowed. The control which would be exercised over the native tribunals (more expedient in this jurisdiction than any other they were ever charged with) by the mere existence of the power of invoking, in the last resort, English justice and exactitude of thought, has been deliberately withheld. . . . I think the framers of the first clause, in their endeavour to clothe confiscation in the garb of conservation, have baffled their own purpose, and produced insensible self-repugnancy. . . . There are three distinct classes of persons who are legislated for by this Act,—first, the tenantry; second, the bad and grasping landlords; third, the good and indulgent landlords. Those classes have always had their distinctive rules of conduct. The methods of the first have been agitation and turbulence, to use no stronger word; the methods of the second have been close and strict exaction of legal rights; the ways of the third have been ever those of peace and good-will, quiet, considerate, tolerant non-interference. We are now told by this Act, that the order of the favour with which those three classes and their methods are regarded by the Imperial Parliament is the order in which



I have named them,—the agitating and clamorous tenantry first; the bad and exacting landlords next and the kind, indulgent forbearing landlords last!”

# LORD O'HAGAN, LORD-CHANCELLOR OF IRELAND

BORN A.D. 1812.

THE Right Hon. Thomas Baron O'Hagan, Lord-Chancellor of Ireland, was born in Belfast A.D. 1812. The chiefs of the O'Hagan clan in ancient times were lords of Tullaghogue, near Dungannon, county Tyrone, and here was the stone chair of the kingly O'Neills, and hither each monarch came in succession, for the O'Hagans of Tullaghogue had the hereditary right of performing the ceremony of inaugurating the chieftains of Tyrone. But in the reign of King James I. the power of the O'Neills and other clansmen of Tyrone was utterly overthrown. The Earl fled, and the broad lands of Ulster were planted by Scotch adherents of the Stuarts. The O'Hagans shared the fate of their chief, and to Robert Lindsay of Leith, Scotland, Chief Harbinger and Comptroller of Artillery to the King, was granted by patent, in 1610, the territory of Tullaghogue, which was declared forfeited “by Hugh O'Neill, Earl of Tyrone, and his rebel followers. Thus driven forth from their ancestral homes, many of the Irish sought distinction in foreign lands, while others remained in the land of their birth.

Edward O'Hagan, father of the Lord-Chancellor of Ireland, was a merchant in Belfast, and married in the year 1811, Mary, daughter of Captain Thomas Bell. The first offspring of the union, the subject of this memoir, was born on the 29th of May 1812. A daughter, Mary, was born some years later. She embraced a religious life, and became Abbess of the Convent of St Clare, Kenmare, county Kerry.

Brought up in principles of piety and love of country, Thomas O'Hagan from his youth manifested those patriotic feelings which he has publicly displayed in after life. He was educated chiefly at the Belfast Royal Academical Institution, where he became acquainted with several Belfast youths, who, like himself, gained distinction. Among them were the Rev. W. Gordon, Sir James Emmerson Tennant, and Sir Joseph Napier. O'Hagan's ability and attention won him the esteem of the learned classical master of the Institution, the Rev. Doctor Dix Hincks.

Mr O'Hagan's powers of oratory, while yet a mere youth, caused him to be elected President of the Academic Debating Society of Belfast, and he delivered an inaugural address on National Literature, in which he displayed not only the national feelings of his heart, but much of that copiousness, and grace of language, and felicity of expression, which distinguished him alike at the bar, in the senate, and on the bench. He also evinced an early disposition for literary composition, and many of his youthful productions display great promise.

As soon as he was sufficiently prepared to study for a profession,

Mr O'Hagan entered his name on the books of the King's Inns, Dublin, as a student for the Irish bar.

While keeping his terms in London, Mr O'Hagan was a pupil of the celebrated special pleader, Thomas Chitty, and may be numbered among the very eminent lawyers who acquired a knowledge of the principles and practice of Common Law pleading under the same competent instructor. Among them we may enumerate Lord Cairns, the late Mr Justice Willes, Sir William Hannen, and Baron Bramwell.

Having completed his terms, Mr O'Hagan was called to the Irish bar in Hilary Term 1836, and joined the North-East Circuit. It was then almost entirely composed of Protestant barristers, and had amongst its members such distinguished lawyers as Robert Holmes, Mr Gilmore, Q.C., Sir Thomas Staples, Bart., Q.C., one of the surviving members of the Irish Parliament which sat in College Green. O'Hagan gives the following account of his success on the circuit:—“I belonged to a circuit which used, *par excellence*, to be designated the Protestant circuit of Ireland. I fought my way to its foremost ranks, necessarily, almost exclusively, sustained by those who had no sympathy with my religious convictions, and carrying with me their respect and kindly feelings.”

In the year of his call to the bar Mr O'Hagan was married to Miss Teeling, and shortly after became editor of the *Newry Examiner*. This journal was distinguished for the fearlessness of its tone; but it had been before O'Hagan's connection with it rather limited in circulation, and subjected to some legal proceedings, which told severely on an attenuated exchequer, so that it did not hold out very encouraging prospects to the new editor. But Mr O'Hagan was hopeful, and knew his own strength. He made the journal pay its way, and while he conducted the paper he steered clear of all legal shoals and quicksands. His writings possessed considerable literary ability, and were faithful expositions of the national aspirations. A residence in Newry was not deemed advisable for one seeking distinction at the bar, and Mr O'Hagan ventured to resign his connection with the press, and devoted himself thenceforward exclusively to his profession. A complimentary farewell banquet was given to him before leaving Newry, which was attended by the Roman Catholic bishop and most of the gentry of the town and neighbourhood. With the high anticipations of his friends, which his subsequent career fully justified, the young barrister settled in Dublin. For some years after being called to the bar, the career of Mr O'Hagan was not distinguished by any very remarkable event. He diligently attended the Four Courts during each term, and went his circuits. He had many qualities that made him popular with the bench, with his brethren of the bar, and with that important body whose support is essential to a barrister—the attorneys. With the bench he was a favourite, because he was always well prepared with his work, entirely reliable, and candid. With his professional brethren he was most popular, from the amiability of his disposition, his kindness to all, his desire to sustain the honour of the profession, and his readiness to assist when help was needed. The attorneys liked his affable manners, as well as the attention he

\* Speech on being elected M.P. for Tralee.

bestowed on every case intrusted to him, from the modest guinea motion to the most arduous service; each was sure to receive exactly the proper amount of attention.

Although Mr O'Hagan never mixed much in the arena of politics, on some rare occasions, when he felt the wrongs which he believed done to his country or to his creed required him to protest, he never hesitated to display his adherence to national democratic opinions and the Church of Rome. When, in 1843, the magistrates were removed from the commission of the peace for identifying themselves with the cause of Repeal, Mr O'Hagan, with many other members of the bar, alike Protestant and Catholic, became members of the Loyal National Repeal Association, though he never attended any of the monster meetings.

O'Connell and his immediate disciples were prosecuted at the bar in the Court of Queen's Bench for conspiracy in 1844. At this State trial O'Hagan was one of the counsel for the traversers, and he attended in London on the argument of the writ of error before the House of Lords, when the judgment which consigned O'Connell and the other Repealers to Richmond Bridewell was reversed. He brought the joyous news of the decision that opened the doors to the great Irish agitator.

When the chairmanship of Quarter Sessions for the county Longford became vacant in 1846, the then Attorney-General for Ireland, the Right Hon. Richard Moore, wished to bestow it on Mr O'Hagan, and called personally to request his acceptance of it. O'Hagan was from home, so the Attorney-General saw Mrs O'Hagan and informed her of the object of his visit. It was readily accepted, and Mr O'Hagan continued to discharge the important duties of Assistant Barrister of Longford for some years. On his retirement from that county, consequent upon his promotion to the chairmanship of the county Dublin, he received a most complimentary address from the magistracy, sessional practitioners, and inhabitants of the county Longford. While chairman of the county Dublin, he took an active share in establishing the excellent convict system in Ireland, and also the reformatories for juvenile offenders.

In 1849, when but thirteen years called to the bar, he received the silk gown of Queen's Counsel from Lord-Chancellor Brady, and at once obtained a fair share of leading business at the Common Law Courts. His position was now very high at the bar, and his masterly speeches on trials of great public interest, as the case of the *Belfast Vindicator*, his defence of Father Pecherine, accused of burning a Bible, and other causes, were sufficient to stamp him as an able speaker. His address on the inauguration of the statue of Moore was far too good for the bronze monster which it inaugurated. The Viceroy, Lord Carlisle, wrote him a letter expressive of his admiration of the eloquent speech. An amusing anecdote relating to the event is worth preserving. While the proceedings were going on, some birds hovered high in air above Moore's statue, so high as not to be easily distinguishable.

"What birds are these?" demanded his Excellency.

"How can you ask on this occasion, my Lord?" was the reply. "Do you not see they are a couple of Lalla Rookhs waiting to gaze on the Veiled Prophet."



In 1859 Mr O'Hagan was elected a bencher of the King's Inns, Dublin, and on the promotion of Solicitor-General Deasy to the rank of Attorney-General for Ireland in 1860, he succeeded to this office. Mr Deasy became a Baron of the Exchequer the following year, and Mr O'Hagan was appointed Attorney-General for Ireland in 1861, and sworn a member of the Privy Council.

It is always very important for the Government to have the first law-officer in the House of Commons, to take charge of the measures before Parliament, and Mr O'Hagan was willing to become a member. An application was made, but without apprising him of such application, to the Right Rev. W. Keane, Roman Catholic bishop of Cloyne, a prelate in the confidence of a large number of the electors of the county of Cork, to ascertain the chances of the Attorney-General in case he became a candidate. The Bishop's reply was, that as Lord Palmerston's Attorney-General he could not represent the county of Cork. On the retirement of Mr O'Connell from the representation of Tralee in 1862, O'Hagan was elected member, and delivered a speech on his election, which was much applauded by his admirers.

Mr O'Hagan's experience of the practice of the Civil Bill Courts of Ireland enabled him to attempt improvements, and on the second reading of the Civil Bill Courts (Ireland) Bill on the 17th of June 1863, he very forcibly pointed out the abuses in the previous Act:—"The plaintiff, at his own peril, had been allowed to appoint the bailiff to execute the decrees of the Courts, and this led to great abuses. The bailiffs were frequently men of no property and of bad character; not being responsible to the Court, they extorted money from the plaintiff for the execution of the decree. The bailiff thus obtained a large portion of the money for which the decree was issued. It happened also that the bailiff, having no character to lose, after extorting money from the plaintiff, betrayed him to the defendant. Having got a large sum from the plaintiff to execute the decree, he took a sum of money from the defendant to neglect the performance of the duty for which he had been so highly paid. The bailiff also very often did his duty thoughtlessly and recklessly, and consequently a large proportion of the criminal business of the Courts of Ireland was composed of cases of assaults and rescue, in consequence of the employment of such men. The remedy he proposed was, that, as in the case of the English County Courts, a high bailiff should be appointed in each Irish County Court for the purpose of executing faithfully the processes of the Court."\* This very useful suggestion was adopted, with modifications, in the Act of the 27th & 28th Vict. cap. 99, which came into operation on the 1st of March 1865.

On the debate on the estimates for the National Schools of Ireland, 18th June 1863, Mr O'Hagan strongly advocated the national system. He said he felt that in acting as a Commissioner, and in sustaining the national system, he had acted for the real good of Ireland. He adverted to the circumstances under which the Earl of Derby, when Mr Stanley, introduced that system, and said that his doing so would be one of the highest titles of that nobleman to a foremost place in the

\* Hansard, clxxi. p. 1022.

history of his country. Mr O'Hagan delivered a long speech on the occasion, and thus concluded, "Considering the matter then in the double light of an Irishman, anxious for the peace, the union, and the prosperity of the country, and of a Roman Catholic, anxious to maintain in its integrity the faith which he professed, he believed that the preservation of the system as it existed—with such changes as upon full consideration ought to be made—was, both for religion and for the country, at this moment the best. They were still in a transition state in Ireland, and in the very infancy of her social progress. For twenty-five short years only had they been free from the withering blight of sectarian ascendancy and religious disability. He devoutly hoped there was a good and fair future still in store for Ireland. • That it might be realised, it appeared to him essential that there should be cultivation, sound intelligence, social harmony, and mutual trust among all the people of Ireland; and in his simple judgment these results would be best secured, maintained, and perpetuated, by the operation of the national system of education."\*

On the 25th of April 1864, Mr O'Hagan, then Attorney-General, moved the first reading of a bill to alter the constitution and amend the practice and course of proceedings in the Court of Chancery in Ireland. He sketched briefly the alterations which had been from time to time effected in England and in Ireland. The practice of both countries continued very much alike until 1850, when the Irish Chancery Regulation Act, 13 & 14 Vict. c. 89, was passed. This Act virtually abolished the old pleadings of bill and answer, and established the system of cause petitions, which resulted in the multiplication of affidavits, gave no machinery for joining issues, and in many other respects worked injuriously. In 1854 a royal commission issued. It consisted of the Lord-Chancellor of Ireland (Brady), Lord-Justice of Appeal (Blackburn), Chief-Justice Monahan, Mr Justice Fitzgerald, Judge Longfield, Mr Brewster (from Ireland), the Lord Chancellor of England, (then Sir Richard Bethell), Lord Romilly (Master of the Rolls), Sir Hugh Cairns, and the report of this commission recommended an assimilation of the system of equity in England and Ireland. Nothing, however, was done upon the recommendation of that commission. In 1862 a new commission issued. Upon it sat Lord Romilly (Master of the Rolls in England), Vice-Chancellor Page Wood, Lord Cairns (then Sir Hugh Cairns), Sir Roundell Palmer, Sir William Atherton, Mr Justice Willes, Mr Gifford, and Mr Follett; while the Irish members of the commission were, Lord-Justice Blackburn, ex-Lord-Chancellor Napier, Right Hon. Abraham Brewster, Chief-Justice Monahan, Baron Hughes, Right Hon. Thomas O'Hagan (then Attorney-General for Ireland), the Solicitor-General for Ireland, and Sir Richard Orpen, who represented the Incorporated Society of Solicitors and Attorneys in Ireland.

Their report recommended:—

1. That the practice and procedure of the Courts of Chancery in England and Ireland should be assimilated as far as practicable.
2. That the English practice was preferable to the Irish.

\* Hansard, clxxii. p 1102.

3. That demurrers should be allowed for want of equity or for multifariousness only.
4. That the Irish rule of not requiring an attachment, and a return of *non est inventus*, in order to obtain a sequestration, should be extended to England.

Changes in the officials—such as abolition of the Masters in Chancery save the Receiver Master; the appointment of a Vice-Chancellor, with chief clerk and two assistant clerks—were also recommended. These alterations formed the subject of the Attorney-General's speech,\* which led to some discussion, but the measure was postponed for several years, and ultimately carried by the party that was in opposition when it was first introduced.

When Mr Vincent Scully, on 27th May 1864, moved an address to the Queen for a commission to inquire and report as to the best method for registering titles to land in Ireland, Mr O'Hagan, then Attorney-General, strongly supported the motion. He believed that the establishment of a system of land transfer in Ireland, making the conveyance of land simple, speedy, and cheap, was a great necessity.† When Mr Pope Hennessey, M.P., moved on behalf of Mr O'Malley Irwin, that the Queen might grant her fiat to a petition of right in his case, the Attorney-General resisted the application. He went very fully through the details of this complicated case, which had occupied the attention of several Attorneys-General for Ireland—Blackburn, O'Loughlen, Greene, Pigot. He agreed with Chief-Baron Pigot in thinking the case was not one for a petition of right.‡ The motion was negatived. The death of the venerable Judge Ball in 1864 left a vacancy on the Common Pleas bench, which the Attorney-General elected to fill. When the Whigs succeeded to office in 1869, Mr Justice O'Hagan was selected by the Premier to hold the Great Seals of Ireland as Lord High Chancellor.

One of the first public utterances of Lord Chancellor O'Hagan was his addressing the subjoined letter to Lord Charlemont, grandson of the first Earl, and General of the Irish volunteers of 1782:—

RUTLAND SQUARE WEST, Jan. 9, 1869.

"MY DEAR LORD CHARLEMONT—I enclose a cheque for L.100, in aid of the fund for the erection of a statue to Henry Grattan, as I learn that you fitly take a leading part in the movement for that good purpose, which has been so generously and hopefully begun.

"I tender you my humble co-operation, because it is not the movement of a party or a sect, but of a nation, offering its grateful reverence to one of its worthiest sons.

"I remember the feeling with which, long years ago, I stood in Westminster Abbey, beside a shattered slab, bearing the name of Henry Grattan, and thought it a symbol of the broken fortunes of the land for which he lived and died. It seemed to me a national reproach that his dust should have been left in English earth, with no better monument, by the people to whom he rendered such loving service;

\* Hansard, clxxiv. 3d Series, p. 1570.

† Hansard, clxxv. 3d Series, p. 742.

‡ Hansard, clxxvi. p. 2113.



and now I rejoice that we are at last uniting, in a time of hope and progress, to put away that reproach for ever.

"We may hold various opinions with reference to Grattan's policy and conduct; but we can have no dissension as to his pure and earnest life—his public virtue—his indomitable courage—his true and unchanging devotion to his country—the achievements by which he lighted up the fairest page in our dismal story—the genius which made him matchless amongst the orators of the modern world.

"The Irish Protestant will not hold unworthy of his homage the chief of the great men, of his own faith, whose labours and sacrifices for Ireland have given lustre to their race. The Irish Catholic will be emulous to honour him who, in evil days—untainted by corruption and unawed by power—was the dauntless champion of religious liberty.

"The fame of Henry Grattan is the common and the proud inheritance of all good Irishmen. It is no longer clouded by the mists and heats of faction. It suffers no more from the insolence of authority or the fickleness of the crowd. It lifts him high on the roll of names which live through ages. And we are bound—one and all, of every class and creed—to demonstrate, according to our power, how dear it is to the memory and the heart of Ireland.—Believe me, dear Lord Charlemont, yours faithfully,

"THOMAS O'HAGAN.

"The Earl of Charlemont."

In June 1870 the *Gazette* announced Mr O'Hagan's elevation to the peerage as Baron O'Hagan of Tullahogue. The claim to the title was asserted in virtue of the rights already stated; but it called forth a letter of complaint from the descendant of the Scotch patentee, who deemed it improper in the noble lord to take his title from Tullahogue without Mr Lindsay's leave.

In June 1871, the Trinity Vacation having left the Lord-Chancellor free from judicial duties, he went to London, and the Great Seal of Ireland was placed in custody of commissioners. These were the Right Hon. Judge Fitzgerald, the Right Hon. Baron Deasy, and J. J. Murphy (Master in Chancery). Lord O'Hagan had lost his wife shortly after his elevation to the Chancellorship, and the object of his visit to England was to contract a marriage with Miss Alice Towneley, youngest daughter of Colonel Towneley of Towneley, in Lancashire.

The Towneleys had been Lords of Towneley long anterior to that date when the memory of man "runneth not to the contrary." They had been distinguished for their rigid adherence to the ancient faith. From Towneley went forth many a priest to the altar, and many a nun to the convent cell. They had fought for the Stuarts when "'twas treason to love them, and death to defend." No less than two of the Towneleys had been beheaded for preferring the House of Stuart to that of Hanover. In the long line which the erudite genealogist, Sir Bernard Burke, traces from the days of Alfred to our own, many of the race held places of honour in their native land. The rank of High Sheriff, chief executive officer within his shire, was theirs many a time. They were famous in the field, and not undistinguished in the closet. Richard Towneley, of Towneley, born in 1628, was an eminent mathe-

matician. Another was tutor to the son of James II., and distinguished for his translation of *Hudibras* into French, by no means an easy task, considering the peculiar style of the poem. Charles Towneley was the collector of the antique statues now known in the British Museum as the "Towneley Marbles."

Colonel Towneley was a true type of an English gentleman. He was a great lover of field sports, and one of his race-horses won the "blue ribbon of the turf." He was also a very successful exhibitor at the great agricultural shows of the kingdom. He married in 1836 Lady Caroline Harriet Molyneux, daughter of the Earl of Sefton. Lady Caroline became a convert to the Roman Catholic faith, and emulated her husband in acts of piety and deeds of charity. Three daughters were the offspring of this union. One married Lord Norreys, eldest son of the Earl of Abingdon; another Lord Gordon Lennox, brother of the Duke of Richmond; the youngest, Alice Mary, Lord O'Hagan.

The year 1872 had been one of great political importance in the British Empire. The Alabama claims had been settled by the Congress of Geneva. The ballot was made the law of the land, and its doubtful effects were looked forward to with interest. In Ireland the decision of the Galway Election Petition against the return of Captain Nolan excited popular commotion, and the language used by the judge, Mr Justice Keogh, was so calculated to excite the Irish people, always remarkable for their love of their priests, that it set the country in a blaze. Lord O'Hagan attended to his important political duties with diligence,\* and was considered by his friends to discharge his judicial functions with due efficiency. Severe attacks, however, were made upon him by his associate in the Court of Appeal, Lord-Justice Christian, who, although no doubt actuated by a sense of public duty, and equally courageous in attacking the legislation of a Government or the efficiency of a brother judge, was not generally supported in this instance by public opinion. In addition to open attacks in court, which it must have been painful for the Lord-Justice to make, and in which, indeed, it could not be doubted that he was only actuated by conscientious motives, he was reputed to be the author of a pamphlet handling the Lord-Chancellor with great severity. The fact that this pamphlet was withdrawn from circulation shortly after its appearance relieves us from the unpleasant necessity of going at any length into its contents; the personal criticism we must altogether pass by. We are of opinion that compilers of memoirs of the living and the dead must reverse the maxim *de mortuis nil nisi bonum*, and leave the faults of the living, of whom during their lifetime we will say nothing but good, to be set forth when the mention of them can no longer give pain. It may be objected that this is not a noble rule, but it is the rule of all civilised society to be courteous to those who are present and to abuse them, if necessary, in their absence. We uphold it as a good and beneficent

\* In the Session 1871, the following Irish subjects appear under Lord O'Hagan's name :—Charitable Donations and Bequests; Fenian Prisoners, Release of; Juries; Lunacy Regulation. In Session 1872 :—Bankruptcy Amendment; Courts of Quarter-Sessions; O'Keefe, Rev. R., Case of; Galway Election. Session 1873 :—Government of Ireland; Juries Act; Landlord and Tenant Act; Marriages; Public Records Act.

canon. With respect to Lord O'Hagan's acts, the pamphlet accused him of evading and overriding Acts of Parliament referring to the Court of Chancery in Ireland. These charges came upon the public with surprise, and in the legal profession met with almost universal disapprobation as violating professional etiquette. Of course, it was impossible for the Chancellor to answer a pamphlet which did not bear the distinguished name of its reputed author, but to those attacks which were made upon him in open court he replied, not without dignity, and with comely moderation. Nor was he without a champion with the pen, although unable to enter the lists personally with an opponent who showed no recognisance. An Irish barrister wrote a reply entitled, "In Chancery—the Lord Justice's Pamphlet." It was divided into forty-one sections, and went *seriatim* through the allegations of the pamphlet, purporting to show their injustice. The two chief charges against the Lord Chancellor were,—first, delay in bringing out the revised Chancery orders; and, secondly, the alleged encroachments of the chief clerk on the powers of the judge. The reply to these two charges was the chief object of the Irish barrister.

The spring of 1873 witnessed the first rude shock to the stability of the Gladstone administration. The Premier had passed two of the three great Irish measures which he had promised to the constituencies. He had disestablished the Irish Church, and had given the farmers a measure of Tenant Rights, and now he approached the difficult question of University Education. He prepared a bill which had the singular infelicity of pleasing no one. He sought to conciliate the Roman Catholics by placing the University of Dublin in the hands of a governing body to be appointed by the Government, with representatives from affiliated colleges, and by closing the Queen's College in Galway, and providing a University where no danger to the Catholic faith could arise, because there were to be no Professors of Modern History and Philosophy. This did not please the Protestants, because they objected to the nomination of the governing body of the Dublin University by the Government, and the suppression of the professorships; they also objected, that by the proposed system the Roman Catholics in course of time would be a majority in the governing body of the university. The Dissenters opposed the bill; the Irish members, Catholic and Protestant, with a unanimity seldom shown, went into the lobby against the Ministry, and placed the Government in a minority of three. Mr Gladstone and his colleagues tendered their resignation, which the Queen accepted, and Mr Disraeli was sent for and asked to form a Ministry.

On the evening, in the month of March 1873, when Mr Gladstone in the Commons and Earl Granville in the Lords announced the resignation of Ministers, Lord O'Hagan was in the House of Lords. The bill for legalising marriage with a deceased wife's sister was to be read a second time, and when Lord Houghton proceeded to move the second reading, a question was raised as to whether this could be done when the Ministry had resigned. A case in point for the affirmation was quoted, and the debate went on. Lord Lifford having stated that "the bill excited no opposition in Ireland, and that such marriages there were sanctioned by the Catholic Church," Lord O'Hagan said, "he



would have given a silent vote on the measure, but he wished to correct the noble Lord Lifford. So far from such marriages being looked upon with favour in Ireland, he could say they were the very reverse. Those who contracted them were considered to have acted wrongly. Though they were allowed by the Catholic Church, it was under a dispensation from the Pope, and the fact of this dispensation being necessary showed they were not consonant to the spirit or the practice of the Catholic Church." He opposed the bill. On the question having been put, the majority were against the second reading, and the bill was lost. Mr Disraeli refusing to take office in the face of a hostile majority, Mr Gladstone and his Ministry resumed their various offices and Lord O'Hagan returned to Ireland as Lord Chancellor

THE RIGHT HON. RICKARD DEASY, P.C., THIRD BARON OF  
THE COURT OF EXCHEQUER IN IRELAND.

BORN A.D. 1812

THE RIGHT HON. RICKARD DEASY, second son of Rickard Deasy, Esq. of Clonakilty, county Cork, by the daughter of — Cotter, Esq., was born at Clonakilty in 1812. He was educated at Trinity College, Dublin, where he graduated A.B. 1833, A.M. 1847, and LL.B. and LL.D. 1860. He was called to the bar in Ireland in 1835, and became a Queen's Counsel in 1849. In 1858 he was appointed third sergeant-at-law, and became Solicitor-General for Ireland in 1859, from which post, in 1860, he was promoted to the Attorney-Generalship, on which occasion he was made a Privy Councillor. He was raised to the bench in 1861 as fourth Baron of the Court of Exchequer in Ireland. He represented the county Cork in the Liberal interest from April 1855 to January 1861. He married in 1861 the youngest daughter, of the late Hugh O'Connor, Esq. of Sackville Street, Dublin.

From his early years Mr Deasy was a most diligent student, and applied himself sedulously to master the theory of the law. Having attended the chambers of some of the eminent pleaders in London, he came to the Irish bar in 1835 fully qualified for immediate business; and his great legal learning was not destined to lie shut up in "the nooks and chambers of his brain," but was soon in great request. A member of the Munster circuit thus describes him soon after his admission to the bar:—"He possesses a most sensitive disposition, and the eagerness with which he advocates the case of his clients proves the anxiety of his mind. He never abandons his case while an inch of debatable ground remains to be defended; and when he does yield, argument and legal skill are alike exhausted. For some years after being called he confined his practice very much to Equity, and was a laborious reporter in the Court of Chancery. When he joined the Munster circuit he did not soon get into practice. The distinguished men then on the circuit were the tried and trusted leaders and juniors; but as soon as an open was made, Rickard Deasy stepped in, and once placed, his progress was sure. His ready and extensive learning, his

clearness and precision, his well-known assiduity, were at once the passport to practice."

He received the honour of a silk gown in 1849, and soon was established in leading business in the Court of Chancery.

On the elevation of his friend and relative, Mr Burke Roche, M.P., to the peerage as Lord Fermoy, a vacancy occurred in the representation of the county Cork, and Mr Deasy was induced by his numerous friends and admirers to put himself in nomination. His election, however, was contested, but he was returned by a considerable majority. It is highly creditable to Mr Deasy that when he was asked at a large meeting at Cork, if he would pledge himself not to accept place under the Government of the day, he boldly refused to enter into any obligation on the subject.

"As a member of Parliament," observes the same writer already referred to, "he is greatly respected, and I doubt much if there is any Irish member on the Liberal side of the house who commands more attention for the moderation of his views, the cogency of his reasoning, and the fairness with which he combats the arguments opposed to him, than this distinguished lawyer."

On the promotion of Mr Sergeant O'Brien to the seat on the Queen's Bench, vacant by the death of Judge More, the Irish Government selected Mr Deasy as her Majesty's third sergeant-at-law.

During his tenure of office as Solicitor-General in 1859, and as Attorney-General in 1860, he conducted the business of the Crown most efficiently, and gave satisfaction to all parties in Ireland.

On becoming Attorney-General he was obliged to seek re-election for the county Cork; but his conduct in Parliament had so disarmed the hostility of the Conservative party that he was allowed to resume the representation without a contest.

As a judge he enjoys the confidence of all classes; and in the circle of private life he is highly esteemed.\*

ISAAC BUTT, Q.C., M.P.

BORN A.D. 1813.

ISAAC BUTT, only son of the Rev. Robert Butt, incumbent of Stranorlar, county Donegal, was born in 1813, and claims descent from the O'Donnells, the ancient Irish chiefs of Tyreconnell, and from Berkeley, the celebrated Bishop of Cloyne. He received his early education at the Royal School of Raphoe, and subsequently at Middleton Endowed School. After a brilliant course in Trinity College, Dublin, of which he was a scholar in 1832, he graduated with high classical and mathematical honours in 1835. In 1836, after a close and interesting

\* Lord-Justice Christian, in his recent pamphlet on "The Coming Court of Appeal for Ireland," pays the following high tribute to Baron Deasy:—"There is not a gentleman in Ireland—Catholic, Episcopalian-Protestant, Presbyterian, or Free-thinker—but would have acclaimed the appointment [to the Chancellorship] of that practised equity lawyer, approved judge, and true gentleman, Baron Deasy."

examination of other candidates, he was appointed to the Whately Professorship of Political Economy, and two years later he was called to the Irish bar, joined the Munster circuit, and was made a Q.C. within six years after his call. When of only two years' standing he appeared at the bar of the House of Lords as the advocate of the Dublin Corporation, and so highly distinguished himself that he was afterwards employed in every case of importance that came before the Irish courts. He figured conspicuously in the State trials of 1848, when he was one of the counsel for Smyth O'Brien and the other prisoners; and in the Fenian trials of 1865-6 he eloquently pleaded the cause of the prisoners then tried for treason-felony. He was elected for Hardwick in the Conservative interest in May 1852, and in the same interest represented the borough of Youghal from 1862 to 1865. In September 1871 he was returned without opposition by the city of Limerick in the "National and Home Rule" interest. Commencing his political career as an extreme Conservative, he is said to have offended his party by supporting Lord Aberdeen's coalition Ministry, and thus to have lost his just claims on Lord Derby's Government.

Shortly after he entered Parliament he gave up the Irish bar, but having reappeared on the scene of his former triumphs in the great "Leopold Lewis" case in the Court of Exchequer, there was such a rush made by the Irish practitioners on their old favourite, that he was induced again to buckle on his forensic armour, and resume the practice which he had abandoned for the more attractive pursuits of Parliamentary life. He is also a member of the English bar, but never sought for business in the English courts.

Mr Butt was, we believe, one of the original projectors, and for some time editor, of the "Dublin University Magazine," to which, under the name of Edward Stephenson O'Brien, he contributed "Chapters of College Romance," which have been republished in a separate shape. A novel, "The Gap of Barnsmore," is also believed to be from his pen. The following list will give some idea of the nature and extent of his literary labours:—

Berkeley: a Discourse on his Character and Writings. Afternoon Lectures on English Literature, 3rd series. 1863.

An Introduction to D. M. Martin's "Venice in 1848-9."

Ovid's *Fasti* Translated. 1833.

The Liberty of Teaching Vindicated. Reflections and proposals on the subject of Irish National Education. With an introductory letter to W. E. Gladstone. Dublin, London, 1865.

Chapters of College Romance, 1st series. London, Guilford, 1863.

The History of Italy from the Abdication of Napoleon I., with introductory references to that of earlier times. 2 vols. London, 1860.

An Introductory Lecture delivered before the University of Dublin in Hilary Term 1837. Dublin, 1837.

Irish Corporation Bill: a speech at the bar of the House of Lords in defence of the city of Dublin. London, 1840.

The Irish People and the Irish Land: a letter to Lord Lifford. With comments on the publications of Lord Dufferin and Lord Rosse. Dublin, 1867



The Poor Law Bill for Ireland examined. London, 1837.

A Practical Treatise on the New Law of Compensation to Tenants in Ireland, and the other provisions of the Landlord and Tenant Act, 1870; with an appendix of the statute and rules. Dublin, 1871.

The Rate in Aid: a letter to the Earl of Roden. Dublin, 1849.

Speech delivered at the great Protestant meeting in Dublin, February 13, 1840. London, 1840.

The Transfer of Land by means of a Judicial Assurance: its practicability and advantages. A letter. Dublin, 1857.

A Voice for Ireland. The Famine in the Land. What has been done, and what is to be done. Reprinted from the "Dublin University Magazine." Dublin, 1847.

Zoology and Civilisation: a lecture delivered before the Royal Zoological Society of Ireland. Dublin, 1847. (Forming No. 3 of Popular Papers on Subjects of Natural History).

It will be seen from the foregoing brief sketch that it was exactly thirty-four years ago that Mr Butt made his first appearance on the political stage, being then a stripling agitator barely in his 27th year. The sensation which he produced at the great meeting held in the Mansion House, Dublin, in February 1840, was nothing short of marvellous. His previous successes in college, and in the mimic warfare of the old Historical, of which he was a gold medallist and twice president, and afterwards as Whately Professor of Political Economy, had prepared many for the triumph of his first great essay on the platform; but his efforts surpassed the expectations of his most intimate friends, and electrified the vast assembly collected on that memorable occasion. When one reads at the present moment his great Mansion House speech, many feelings naturally arise, but none, perhaps, more strongly than feelings of wonder and regret that the promising young orator of 1840 should still be tossing on the troubled sea of political agitation. Like the great orator of ancient Rome, to whom the gifted and accomplished subject of this memoir has many striking points of resemblance, he, too, has no doubt often longed for an honourable retirement from the turmoils of public life. Plunged from his earliest years into the vortex of political and forensic strife, Cicero tells us that he hoped a season of dignified repose would one day come, and the toils of advocacy and ambition should for ever cease. All know how vain were the hopes of the ill-fated orator of Rome. The mighty powers of his intellect and his eloquence proved the instruments of his doom. Mr Butt has now embarked on a perilous and momentous agitation, and has taken upon himself a grave and terrible responsibility. We fondly trust that the closing years of a stormy life shall bring peace to himself and his distracted countrymen. The English press deride the "Home Rule" movement as visionary and contemptible, but it casts no doubts on the earnestness and ability of its great leader. Whether its estimate of the movement itself be correct or not, it does not come within our province to offer an opinion. Its estimate of Mr Butt seems pretty accurate, and all best qualified to judge give him credit for honesty of purpose, and it is only with his motives that this memoir has properly to do.

Leaving for a while the "Home Rule" agitation, we return to the

point from which we digressed. Before, however, entering more fully into the details of Mr Butt's first essay in the arena of political life, we cannot avoid making a few extracts from a short memoir of him which appeared in the *Dublin University Magazine* of November 1840. Our first extract deals with the subject of memoirs of living men, and in this view alone is interesting. It will, too, be read with peculiar interest at the present moment, when the changes which time has effected in the purposes and convictions of the remarkable subject of that memoir must force themselves on the reader's view. The extract is as follows:—"In one of the loveliest of his many lovely passages, Wordsworth has depicted the peculiar feelings with which the memory lingers on the image of the dead. The seal is then alone finally set; not till then can our impression of the object fix in absolute repose; for not till then can it never be lessened or contradicted by subsequent changes, faults, or failures. This is true indeed; yet it would be a poor thing were we universally compelled to adjourn the fulness of our feelings to such a period. If our own illustrious dead, our Burkes and our Berkeleys, have this peculiar stamp set upon their unchangeable glory, there is a charm, the very opposite indeed, yet scarcely less elevating, in the anticipations that gather round the opening stages of a career which men already feel to brighten with indications of a higher destiny to come. Shadows of uncertainty, of purposes interrupted, of possible change, must indeed cloud the view, and these cannot affect the calm and settled fame of departed greatness. Yet even these, perhaps, add in another way to the interest of the subject; they enliven, animate, diversify our speculations as to its ultimate fortunes; and hope becomes only the more truly and dearly *hope*, when, even in its highest vividness, we are not permitted to change it for certainty." Our second extract professes to give a *precis* of Mr Butt's opinions at that period (1840). It sounds peculiarly significant now, when, with the co-operation of the Romish hierarchy, his efforts are being directed to effect a severance of British connection. It runs thus:—"He believed that in the Romish party in Ireland, as represented and governed by its priesthood, there exists an unsleeping antipathy to Protestantism as a religion and as a government, as something to be hated and as something to be feared. He believed that this antipathy has never yet failed of practical realisation, except from exhaustion, or from dread, or from despair. He believed that in this ineradicable enmity is more or less included everything that is English, both because it is Protestant and because it is ascendant; because it is alike odious for its religion and envied for its supremacy. Against this fearful hostility, thus twofold in its object, he held that our forefathers had fixed and fortified two citadels, each commanding and awing its respective foe. These are, these were, the *Church and the Corporations*; the Protestant Church to fortify the religious, the Protestant Corporations to guard the civil ascendancy; the one to represent British truth, the other to represent British power. These, and these almost alone, have moored us to the British anchorage; and with the surrender of these the British connection inevitably ceases to be practicable.\* These institu-

\* The *italics* are ours.

tions thus hold a totally distinct office in Ireland from what they hold in England or in Scotland; nor, therefore, can any argument be drawn from the changes in the latter to changes in the former portion of the empire. In England and Scotland they are (politically considered) ordinary institutions for ordinary purposes; in Ireland they are, besides this, the solitary fortresses of a threatened and detested authority. To sacrifice either to the other is miserably to mistake the objects of both. It is yet more,—it is to weaken the very institutions for whose security the sacrifice is made. To give up the Corporations for the Church is to *desert the Church*, as really (though not of course in the same degree) as to disestablish the Church in England would be temporarily to abandon it; it is to sacrifice the State that the Church of the State may prosper! And so surely as the one has fallen, so surely are its ruins to be erected into the rampart from which the enemy will storm the other. Short-sighted, inexcusably short-sighted, is that policy which could promise the Romanising of Corporations to buy a few additional years of disturbed tranquillity for the Church; purchasing the postponement of hostility by subsidising its forces and securing its eventual success!" We have extracted this passage not for the purpose of charging the learned gentleman with inconsistency, and with an utter abandonment of the principles of his youth, but rather to show the immense sagacity he displayed in his views of the situation some thirty-five years ago. To the sacrifice of the old bulwarks of British connection, and this reconstruction of their materials into strongholds for the very disloyalty they were meant to control, Mr Butt from the first steadily opposed himself. With an energy and an ability never surpassed, he denounced the Corporation Bill, notwithstanding the lofty authorities by which it was accredited. This is amply proved by his Mansion House speech of the 13th of February 1840, and his speech of the 15th of May following at the bar of the House of Lords. The Church and the Corporations are gone in spite of Mr Butt, and the question only remains whether he considers the severance of British connection (be it partial or total) a matter of such inevitable necessity that he is justified in promoting the result he so ably deprecated at that time. The course events have taken since 1840 may have so changed or modified his opinions, that he may believe his scheme of Home Rule (whatever it exactly means) a thing of justice as well as necessity. But as our province is only to state facts, we make no comment, and gladly leave the explanation to others, if explanation be required.

As Mr Butt's speech in the House of Lords on the Corporation Bill was one of the greatest performances of his life, no apology is required for alluding to it more in detail. One writer, speaking of the skill and power with which the honourable duty was executed, thus writes:—"Mr Butt's speech on Friday, May 15th, will long be remembered in an assembly richer than any in the world in matters of legal and political rhetoric. The effect of this appeal was beyond all doubt signal; nor probably was there ever delivered a speech at the bar of Parliament which impressed even predetermined members so powerfully. The withering exposure of the devices of the Corporation Commission was peculiarly successful; the justification of the criminated *exclusive-*



ness of the Dublin Corporation since 1793, from the history of the times, brought conviction to every candid listener; and the descriptions, repeated and forcible, of the inevitably perilous result of investing with unlimited power a body whose choice should necessarily lie between insignificance and mischief arrested the attention of even the most determined and most distinguished abettors of the Bill." The whole Conservative press was also loud in its praises of Mr Butt's speech. One short notice by the *Standard* must suffice:—"The House of Lords was last night occupied during the whole of its sitting in hearing the argument of Mr Professor Butt against the Irish Municipal Bill. Perhaps no argument delivered at the bar of either House of Parliament ever produced so manifest and extraordinary an impression. The learned gentleman was loudly cheered in the progress of his address, and still more enthusiastically at its conclusion; a great number of Peers hurrying to the bar to thank and to congratulate him upon his success in exposing the true character of the measure under consideration. The unusual animation of the Duke of Wellington, the proof of which will be seen in our extracts borrowed from the *Times*, was, perhaps, the highest compliment that could be paid to the speaker in the House. It has never been our practice to withhold praise where praise is due; and we truly tender our tribute of admiration to the eloquent advocate of the city of Dublin. It needed, perhaps, the powers of a consummate orator to tear away the veil which has hitherto shrouded this frightful measure; but the veil once removed, an extraordinary revulsion of feeling was a necessary consequence."

It is scarcely necessary to add that Mr Butt's reputation as an orator was now completely established; the only wonder seems to be that the compliments and encomiums bestowed on all sides had not the effect of turning the head of a stuff-gownsmen of two years' standing at the bar; but he was gifted with sound common sense and practical sagacity strangely beyond his years, and seldom met with in combination with immense enthusiasm and brilliant rhetorical talent. The humble estimate which he then had (and still has) of his own powers was, perhaps, one of the great charms of this gifted man; and this quality, added to genial agreeable manners and great kindness of disposition, have made him most popular with every member of the Irish bar, and, indeed, with every one else that has ever enjoyed familiar intercourse with him.

We next find him, soon after his speech in the Lords, a member of the Dublin Corporation, and encountering O'Connell in the memorable debate on the Repeal of the Union. We have no doubt that he employed arguments on that occasion which he would find it very difficult to answer at the present moment, if it is to be assumed that Home Rule means "*Repeal and something more.*"\*

His next remarkable appearance was on the boards of Drury Lane Theatre as the great gun at a Protection meeting. It is scarcely necessary to add that he did his part most successfully, and frequently brought down the house. The *Times* was not over complimentary to any of the speakers on that occasion, and the "Irish great gun" was especially assailed. It thus wound up its thunders against Mr Butt:—

\* We use a definition of "Home Rule" attributed to Mr Butt himself at a recent meeting at Limerick.

"Of all the ranters that ever ranted on the boards of Drury Lane, Mr Butt was verily the greatest." This criticism is of course unworthy of notice, but it leads us to say a word on his characteristics as a speaker. A very able writer has said on this subject, "The characteristics of his manner are vigour, decision, and argumentative cogency. He illustrates *only* to illustrate; and never loses the substance in the accidents, or forgets the goal in the way that leads to it. No speaker ever talked less for talking's sake." It has been said of him at the bar, that he is too candid and admits too much, and that he has often raised difficulties against himself, which the opposite side or the bench would, perhaps, never have seen. This, if a fault, is the fault of a great thinker and a master mind. There was one obvious result of his candour, that no one ever enjoyed so thoroughly the confidence of the bench. The judges felt assured that they were safe from any imposition or trick so far as Mr Butt was concerned. But though he always dealt fairly towards the bench, he was never cringing—he was ever manly and independent. His recent fearless castigation of some of the justices of the Common Pleas in the case of *Barry and the Youghal Election Petition* will remain ever fresh in the memories of legal practitioners. Some idea of the severity of his remarks may be formed from the manner in which he concluded his argument:—"Be Kent mannerly when Lear is mad."

When in Parliament as member for Hardwick and Youghal, Mr Butt was not a frequent speaker; but whenever he took part in a debate, he spoke most effectively, and commanded the attention of the House. It is needless to say that he was a debater of the first order. His ready elocution, his easy mastery of details, his bold and practical sagacity, were qualities that eminently fitted him for such work.

Since he entered Parliament as member for Limerick, his most remarkable speech was on the "Keogh impeachment," as it was called. The House was filled in every part to hear him, and he did not disappoint the expectations formed of him on that occasion.

In the next session—1874—he is likely to have a busy time. The land question, the Fenian amnesty, the Catholic University, and Home Rule form a pretty formidable programme. During the past year he has been incessantly at work on most of these questions, and has invaded England to preach the blessings of Home Rule; so there appears to be little hope of peace from Ireland for the coming administration.

THE RIGHT HON. JOHN THOMAS BALL, Q.C., M.P.

BORN A.D. 1815.

THE Right Hon. John Thomas Ball, eldest son of Major Benjamin Marcus Ball, formerly of the 40th Regiment of Foot, was born in Dublin in 1815. He was educated at Trinity College, Dublin, of which he was a scholar in 1833, A.B. in 1836, and LL.D. in 1844. In 1870 the University of Oxford conferred on him the honorary degree of D.C.L. He was called to the Irish bar in 1840, and was advanced to the rank of Queen's Counsel in 1854. He was appointed Queen's Advocate for



Ireland in 1865, and was Vicar-General of the province of Armagh, and judge of the Consistorial Court, until the offices were abolished by the Irish Church Act in 1870. He was Solicitor-General from March 1867 to November 1868, when he became Attorney-General under Mr Disraeli's administration, on the promotion of Mr Warren to the bench of the Court of Probate. At the general election of 1868, he was returned to the House of Commons, in the Conservative interest, by the University of Dublin, which he still represents, being re-elected without opposition at the general election of the present year (1874). He was elected a bencher of the Hon. Society of King's Inns in 1863, and was added to the Privy Council on becoming Attorney-General. He married in 1852 Catherine, daughter of the Rev. Charles R. Elrington, Fellow and Regius Professor of Divinity in Trinity College, Dublin.

In 1844, having taken the degree of LL.D., Dr Ball commenced to practise in the ecclesiastical courts, and soon attained the foremost rank as an advocate. When the Probate Act of 1857 abolished all the technicalities of process and practice which theretofore prevailed in the Prerogative Court, to the great terror of the uninitiated, and the new tribunal became accessible to the legal profession at large, many of the old advocates and proctors of Henrietta Street notoriety felt that their craft and occupation were gone. Not so, however, Dr Ball. Having joined the Home Circuit soon after his call to the bar, he had obtained considerable practice as a common-law lawyer both on circuit and in Dublin. Accordingly, when the trial of issues in testamentary causes was put on the same footing as the trial of issues from the Common Law Courts, the change did not find him unprepared, and he came forth from the comparative seclusion of the Prerogative Court into the open field of *Nisi Prius*, as fresh and as vigorous as if the earlier years of his professional life had been passed in perfect innocence of the civil law and its mysterious processes. When the Court of Probate began to hold its sittings at the Four Courts, and the great guns of *Nisi Prius* were planted amongst the learned doctors, John Edward Walsh, late Master of the Rolls, Dr Townsend, the present eminent judge of the Court of Admiralty, Dr Ball, and a few others, were able to hold their ground against all comers; and although Mr Whiteside, in his inimitable *false* *setto*, would occasionally have a sly hit at "those eminent civilians," his playful satire fell harmless upon them, and they were employed in nearly every case that came before the newly-constituted tribunal as counsel on one side or the other.

The Probate Act of 1857 preserved intact the practice of the abolished Court of Prerogative, except so far as the Act itself or the rules made under its provisions expressly interfered with it. Hence Dr Ball's previous experience was of immense advantage to him still, and, apart from his intimate acquaintance with the principles of testamentary law, it gave him a decided superiority over his new rivals in conducting the pleadings and proceedings preliminary to a trial under the new practice and procedure. Under the changed system the business increased almost a hundredfold, and Dr Ball's practice grew large in the same proportion. He had now an open field for the



exhibition of his superior powers, and fully preserved his undisputed ascendancy amongst the foremost advocates of the Irish bar. With the distinguished judge who presided over the Court of Probate on its institution Dr Ball had immense weight, and he contributed valuable aid in shaping its proceedings into that course which has raised it to so pre-eminent a rank among the judicial tribunals of the country. His speeches on every occasion were models at once of sound legal learning, accurate and effective reasoning, masculine sense, and elegant and appropriate language. Next, perhaps, to Sergeant Armstrong, though *parvo intervallo*, he was one of the most judicious cross-examiners at the bar. His tactics with a hostile but honest witness were most admirable. He had the happy talent of knowing where to stop, and he never made the too common mistake of helping his opponents by injudiciously pressing a witness. He also proved himself a searching inquisitor of a dishonest witness, without resorting to the heroic treatment so frequently adopted by some of the bullying and browbeating celebrities of *Nisi Prius*. On all questions relating to the church and the clergy he was regarded as the highest authority, and in the discharge of his judicial functions in the Consistorial Court he commanded the approbation of the bar and the public. His opinion too on the construction of wills was highly estimated; for although the Court of Probate is not a court of construction, and has to deal only (so to speak) with the paper on which a will is written, and pronounce for or against its validity as the last will and testament of a competent testator, there is a mistaken impression abroad that an eminent Probate lawyer must of necessity be the best authority on that most difficult branch of Equity jurisdiction. However, there was no mistake in consulting Dr Ball on such questions, and indeed it would be difficult to name any branch of the law in which he was not deeply versed. Such being the reputation he had deservedly established, it was not surprising that his own University should have been ready to place him in the proud position of its representative in Parliament at the most critical period of its existence. How he justified the opinions entertained of his peculiar fitness for that high and responsible position is now a matter of history, and this leads us to take a brief survey of his Parliamentary career.

From the time he entered Parliament in 1868 until the close of the session 1872-3, Dr Ball delivered many remarkable speeches, taking a prominent part in all the numerous debates on Irish questions during that eventful period. His first great speech was on the Irish Church Bill, and his last on the Judicature Bill. Of the many effective speeches which he delivered in the interval, our limits will permit us to particularise only a few of the most important.

The Irish Land Bill, Mr Fawcett's (Dublin University) Bill, and Mr Gladstone's Education Bill, chiefly engaged his attention, and gave him the greatest scope for the display of his debating powers. But his first, if not his most signal triumph, was achieved on the adjourned debate on the Irish Church Bill. His high reputation as an ecclesiastical lawyer, coupled with the fact that he had been recently appointed by Lord Derby's Government to inquire into the revenues and administration of the Established Church, and had thus become familiar

with its financial and statistical condition, pointed to him as the ablest man to open the debate from the Opposition benches. How he executed the high trust reposed in him on that impressive occasion is a matter so well known that further comment on the subject must seem superfluous, however easy and agreeable the task may be. From first to last Dr Ball was listened to with the most marked attention, and his brilliant performance produced an effect in the Commons equalled only by the effect produced in the Lords on the same question by his distinguished countrymen, the Bishop of Peterborough and Lord Cairns. The speech was greeted all through with an amount of enthusiastic applause that was not accorded in a greater degree to any of the other speakers on the Opposition, not even excepting Mr Gathorne Hardy. The eloquent tribute paid to Dr Ball by Mr Sullivan (the Irish Attorney-General), who was put up to reply, was, we believe, the true and genuine expression of what he felt, and not dictated merely by the policy of running for a while with the current, which he knew it would be dangerous at first to stem. In presenting to the reader a few extracts from this remarkable speech, and a summary of its leading topics, we cannot help feeling that it would be more judicious simply to refer to the Parliamentary reports.\* There is, however, some consolation in the thought that it would be impossible to damage the reputation which Dr Ball so deservedly earned on that occasion, and which he has ever since so thoroughly maintained. In the first portion of his speech he vigorously assailed the principle of the bill. Having referred to the three great religious denominations existing in Ireland—the Protestant Episcopalians, the Presbyterians, and the Roman Catholics—he observed that the first alone of the three possessed separate property derived from public sources; the second derived an income accruing from an annual grant from Parliament; and the Roman Catholic Church had no income of any kind from property derived from public sources, but merely pecuniary assistance towards the instruction and education of its clergy. The bill proposed to deal with all these three various rights, and to withdraw them. He denied what was contended for by Mr Gladstone, that these grants to the Presbyterians or to the Roman Catholic clergy at Maynooth were in any way connected with the property or maintenance of the Established Church in Ireland. The *Regium Donum* owed its origin to King William III., who granted it to the Presbyterians because they adhered to him in his contest with James. The grant to Maynooth, which was originally made five years before the Union, was made on the ground that the Roman Catholic clergy were educated abroad. Pitt, Castlereagh, and the Government of the day, feared to expose them to the contamination of Republican principles, and it was this fear, and not the protection of the Protestant Episcopal Church, that was the cause of the grant. The bill before the House deprives the Protestant Episcopal Church of its property, and the Presbyterian and Roman Catholic Churches of their grants, and affirmed, without qualification, Voluntaryism as the principle of its arrangements. He then proceeded to consider the wisdom of such a policy, and pointed out what he con-

\* Hansard, March 1869.

tended with extraordinary force and eloquence were the failings of the Voluntary system. Having expressed his intention of divesting the question at issue of any considerations connected with the preservation of life interests, as proposed by the bill, on the grounds that he could not admit that the Government was entitled to claim the slightest acknowledgment on the score of generosity because of the preservation of life interests, he reminded the House that the question to be answered was, not whether the question of the Irish Church demanded legislation, but whether they would introduce Voluntaryism as the guide of their ecclesiastical arrangements. He referred to the endowments of the Kirk of Scotland and of the English Church, and the tendency in legislation to move in a path once entered upon. "Do not," he said, "imagine that you can confine your views to Ireland. Everywhere this is a period of transition, and the future must depend upon the principles you now adopt, and in which your example will inevitably educate the public mind." He next proceeded to examine the bill in detail, and objectionable as he endeavoured to show it to be in principle, he contended that its character was not palliated or softened by a single wise or statesmanlike provision to modify or qualify it. Putting aside life estates, what was left for the Church? What was given to the Establishment?—the churches, which, as shown by the report of the Ecclesiastical Commissioners, had absorbed within a few years upwards of £600,000 of private money, irrespective of grants from the Commissioners, and irrespective of the sum expended on the restoration of St Patrick's Cathedral. Considering that those churches were confessedly unmarketable for any purpose, it was easy to estimate what there was of bounty and beneficence in this gift. As for the gift of the glebe-houses with their curtilages, supposing their value to be £32,000 a year, the total charges upon them amounted to £232,325. "Pay that charge, and you shall have the houses. He (Mr Gladstone) proposes merely to give us the houses and curtilages for a sum they could be bought for in the market; and where was the generosity of giving that for which you take an equivalent? Then the private endowments are left; but the most rigid tests must be applied to prove them. They must be dealt with according to the strict rules of the Court of Chancery; and no private endowments prior to 1660 were to be included." On this point—why this date had been fixed—Dr Ball entered into a most elaborate and exhaustive examination of the relation of the Church of Ireland to the doctrine and discipline of the English Church. He next considered the capitalisation scheme of the bill, which he contended could not succeed. He also condemned the clauses relating to the constitution and self-government of the future Church, and characterised them as not sufficiently enabling and affirmative. "I believe," said Dr Ball in his fervid and eloquent peroration, "that a great shock is given to the feelings of the community in respect to property by this measure. The reverence for its sacred inviolability is rudely touched. I am aware of the distinctions between private property and property public in its sources and objects which have been drawn by Sir James Mackintosh, Earl Russell, and Hallam. Are you yourselves quite satisfied with those distinctions? Even if you are, neither Sir James Mackintosh, nor Earl Russell, nor Hallam



were ever consulted by the mass. It is idle to tell them of those theories. It is idle to say that corporations are different from individuals, or that tenure is other than an individual tenure. These ingenious distinctions are too subtle—are immeasurably too subtle—for the Irish farmer or peasant. The plain facts suffice him. The Protestant Church acquired its property by the act of Elizabeth, by the grants of James and Charles; the Protestant landlords acquired their property by the Acts of Settlement and the patents of the same James and the same Charles. A breath has made both, and a breath can unmake both. The consequence will be, that he will better understand the instruction given him, and, fortified by the precedent set him, he will demand to be restored to those lands which he will believe to have been unjustly taken from him. Sir, it is for these reasons that I oppose this bill,—no message of peace and conciliation, no source of harmony and agreement among all classes, rather the fountain of discontent, of dissension, of general dissatisfaction, and a precedent for organic changes of even more dangerous consequence. But while I oppose it, I disclaim any want of sympathy with my Roman Catholic and Presbyterian brethren. I disclaim the slightest disrespect to their systems of religion. I believe the maintenance of an Established Church consistent with the most liberal appreciation of their claims. I derive assurance for that belief when I find it shared by every great statesman of the past. Yes, ours is no new policy, born of the exigency of the moment. The marvellous wisdom of Burke, the presiding and commanding genius of Pitt, the vast political experience and sagacity of Peel, have alike sanctioned it. Supported by their authority, feeling confident that the principles by them transmitted are as just as they are expedient, we defend the institutions which they upheld, and refuse to abandon the most sacred and venerable of them all in the hour of its danger and its need."

We now pass on to 1870, when the Irish Land Bill, which stood next to the Church Bill in Mr Gladstone's programme of Irish measures, was introduced to the House of Commons.

The most remarkable speech in opposition to the bill was made by Dr Ball on the first day of the debate.\* His argument was throughout based upon the assumption that "free contract" is the highest form of tenure which the intellect of man has yet been able to devise, and that in legislating to restrict such freedom, Britain was relegating Ireland to a lower civilisation. He held that as regards Ulster tenant right, the bill perpetuated and fixed a custom which varied with every estate, which was in itself an evil, making as it were a distinct law for every separate holding; as regarded compensation, it was fixed too high,—the maximum amounting to one-third the fee simple. He did not, however, object to the principle; but as regarded future tenancies he thought the bill utterly bad. He held that the English were never content with less than the best arrangement; that they had fixed on free contract as the best; and that to keep the best to themselves and give Ireland an inferior one was to repudiate the great idea of the union, which was to permit all Irishmen to rise to the English level.

\* Annual Register, 1870.

"My objection to your system" (as proposed in the bill), he said, "is that it is not the best, and, what is more, you know it is not the best. For here you are in England arrived at the highest pitch of civilisation; you claim for yourselves that you are models to the world; you hold out your social relations to the admiration and envy of Europe; and you insist that the relations between landlord and tenant shall be on the footing of contract. What have you been doing? You have been working ever since the day that Latimer denounced the landlords who drove out the tenants, telling them that the divine vengeance would come upon them for it,—you have been working, I say, to make landlord and tenant not ascertain their rights by litigation, but have them established on the solid basis of contracts; so that every landlord in England knows for what he contracts, and every tenant in England knows for what he has to answer. . . . I say you have got the best system, and I believe it to be the best, because I believe that Englishmen, having set their hearts on the best system, would be content with nothing else. What do I ask for my country? I ask the right to rise to the same standard as yourselves. I demand that you will not lay down a rule of this kind, and say,—This is good enough for Ireland. The Irish people differ from the English. There is a positive incapacity in the Irish landlord to deal with his tenants by contract, and in the Irish tenant to take care of himself by contract. The Scotch and English are able to do it. Therefore the true system shall be reserved as a *privilegium* for them, but the Irish shall not be able to attempt it; because we shall put a clause in an Act of Parliament to prevent it."

But although the results of the debates on these extraordinary measures were unfavourable to the Conservative party, Dr Ball did not relax his efforts. He struggled still during the progress of the bills through committee to modify and palliate what he considered their iniquitous provisions, and make the best of evils he was powerless to avert. Under the Ministry of Mr Disraeli in 1874 he accepted the appointment of Attorney-General for Ireland.

SIR JOHN GRAY, M.D., J.P., AND M.P.

BORN A.D. 1815.

SIR JOHN GRAY, third son of the late John Gray, Esq. of Claremorris, in the county of Mayo, was born in 1815. He was educated at Trinity College, Dublin, and took the degree of doctor of medicine. He is a magistrate for the city of Dublin. He has been for many years a member of the municipal Council of Dublin, and has taken an active part in favour of every Liberal measure, and is proprietor and chief editor of the *Freeman's Journal*. In reward of his public services, more especially in arranging for the supply of Dublin with water, the honour of knighthood was conferred upon him in 1863 by the Lord-Lieutenant of Ireland, the Earl of Carlisle. Sir John was returned to the House of Commons for Kilkenny at the general election in July 1865, and still represents that constituency. He declined the office of Lord Mayor

of Dublin for 1868-9, to which he was elected during his absence in London by a vote of 38 to 7.\* In the recent general election (1874) he has been re-elected without opposition for Kilkenny as a "Home Ruler." Like the late John Francis Maguire, he is not only an able journalist, but can speak as forcibly as he writes on all the leading topics of the day. Hence he always commands the attention of the House of Commons.

In 1873 Sir John was appointed President of the General Government Board in Ireland. Though he took the degree of Doctor of Medicine, we are not aware that he ever gained or sought for practice in that profession. His early connection with the press seems to suggest that his youthful aspirations were not firmly set upon the prizes usually proposed to themselves by the medical novices of Dublin—visions of a stately mansion in Merrion Square with all its appurtenances, chariots and horses *à la mode*. The awe, if not the admiration, of humble pedestrians had, it seems, no charms for Dr Gray. He no doubt, would rather see the former noble occupants, or their representatives, reinstated in their ancient habitations in Merrion Square. For that matter, indeed, we believe the present residents, one and all, would gladly clear the way for a consummation so devoutly to be wished for. We accordingly find the young physician turning his attention to the disorders of the "body politic," and prescribing with great cleverness and ingenuity for the complicated maladies of Ireland. Many of the doctor's infallible nostrums have been already tried, but with little success as yet. The Irish Church, that great incubus, which, according to him, impeded all healthy circulation, has been removed; Trinity College is open wide to all; and there is a Land-Law, going beyond anything that was ever seriously hoped for by Sir John Gray a few years ago. But all in vain! There remains yet one chance more. Home Rule alone can cure the ills of Ireland. To attempt here to follow Sir John Gray as he appeared in all the changing scenes through which the "national cause" has passed since he first devoted his great talents to its service, would simply be as hopeless as to attempt to give a history of the "national cause" itself in all its multitudinous phases. It may, however, be safely said that with tongue and pen he advocated with extraordinary ability and zeal every scheme or measure that tended in his estimation to promote the welfare of Ireland. His political creed is, of course, an utter abomination to some, while to others it seems intolerably mild. But that there is an intermediate class that still believes in the *Freeman* and Sir John is amply attested by the large circulation of that journal, and the return of its proprietor on two occasions to Parliament as member for Kilkenny.

It would be idle at present to speculate on the probable position of the Home-Rule League in the coming session of Parliament. Is the old "Independent Opposition" rising again from its ashes more beautiful than ever, and shall it live again to die another day? But whatever its ultimate fate may be, we believe that Sir John Gray and Mr Butt, with all their dexterity and common sense, will find it difficult, in the turn events have taken, to acquit themselves to the satisfaction

\* "Men of the Time," 8th edition.



of exacting and unreasonable constituencies, and at the same time avoid making themselves exceedingly disagreeable and vexatious in the House of Commons, and exceedingly ridiculous in the eyes of all the world out of Ireland.

THE RIGHT HONOURABLE JOHN DAVID FITZGERALD, P.C.,  
THIRD JUSTICE OF THE QUEEN'S BENCH, IRELAND.

BORN A.D. 1816.

THE Right Hon. John David Fitzgerald, son of the late David Fitzgerald, Esq. of Dublin, merchant, by the eldest daughter of the late David Leahy, Esq. of London, was born in Dublin in 1816. He was educated at Trinity College, Dublin, where he graduated A.B.

He was called to the bar in Ireland in 1838; created a Queen's Counsel in 1847. Having led the Munster circuit for some years, he was admitted a bencher of the King's Inn in 1853, and in 1855 he became Solicitor-General for Ireland, and was Attorney-General from April 1856 to March 1858. He was reappointed Attorney-General in 1859, and made a Justice of the Queen's Bench in Ireland in 1860. Mr Fitzgerald represented Ennis in the House of Commons from July 1852 till February 1860, when he was raised to the bench. He is a Commissioner of National Education in Ireland, of Charitable Donations and Bequests, and of Endowed Schools. He married, first, in 1846, the second daughter of the late John O'Donoghue, Esq. of Fitzwilliam Square, Dublin; secondly, in 1860, the Hon. Jane Mary, sister of Viscount Southwell. He became a member of the Privy Council in 1856.

As a student, Mr Fitzgerald was remarkable for great industry, and on his call to the bar in 1838, at the age of twenty-three years, he appeared to be deeply versed in most branches of legal learning. His progress at the bar is distinguished for rapidity. Having gained an opportunity early in his career of showing his abilities and learning, business flowed in so rapidly that his great powers of application were soon tested to the utmost. A writer, who joined the Munster circuit about the same time as Mr Fitzgerald, thus speaks of his industry and rapid success:—"I have constantly met him entering the hall of the Four Courts about eleven o'clock, when most of the bar would commence their labours, having already performed a hard day's work for any other man; and those who knew his industrious habits on Circuit need not be told of his intense application. The result might be easily anticipated. His progress at the bar was unexampled for rapidity; but can any one say it was undeserved? His promotion was such as his diligence merited. He retained by his professional conduct the respect and confidence thus early reposed in him. Ever fully master of his case, he was never at a loss either for facts or law. All branches of jurisprudence, law, equity, pleading in every form, the laws of bankruptcy, criminal law, nothing was too minute to escape his vigilance, or

too large for his comprehension. He soon rose to eminence in the Four Courts, and from the first start got into Circuit business.”\*

He was only nine years at the junior bar when he was made a Queen's Counsel. This rapid advancement is, we believe, unsurpassed, if we except the case of Mr Butt and of the Hon. David Plunket, who obtained the like distinction within a period of six years.

On the promotion of the Attorney-General, Mr Keogh, to the Bench of the Common Pleas, Mr Fitzgerald became Attorney-General, being then not more than eighteen years at the bar.

While he represented Ennis in the House of Commons he proved himself a most excellent and efficient member of the Liberal party. He never spoke for the mere sake of speaking; he was always master of his subject, and invariably commanded the highest respect from the most fastidious assembly in the world.

Since his elevation to the bench his course has been marked by the same characteristic industry, accuracy, and erudition; and, as we had occasion before to remark, there is not one amongst the occupants of the English or Irish Bench that possesses in a higher degree all the essential qualities of a good judge.

#### SIR CHARLES GAVAN DUFFY.

BORN A.D. 1816.

SIR CHARLES GAVAN DUFFY was born in 1816, in the county of Monaghan. His father was a respectable farmer in poor circumstances. Enjoying no educational advantages, young Duffy was thrown altogether on his own resources. So great, however, was his natural genius, that he triumphed over the difficulties of his early life. In his eighteenth year, relying solely on the acquisitions of self-culture, and guided by the instincts of genius, he repaired to the Irish metropolis, where, though friendless and unknown, he succeeded in obtaining employment on the press. Passing through the several minor stages of journalistic life with unusual rapidity, he appeared more prominently before the public as the editor of an influential newspaper at Belfast.

In 1841 he returned to Dublin, and connected himself with *The Mountain*, the organ of the O'Connell party, and in 1842 started *The Nation*, as an educational journal “to create and foster public opinion in Ireland, and to make it racy of the soil.” In 1844 he was a fellow-prisoner with O'Connell in Dublin for “sedition,” and acted in concert with him until 1847, when he left the Repeal Association, and was one of the founders of the Irish Confederation.

Being tried for treason-felony in 1848–49, the prosecution was abandoned by the Government, and he revived *The Nation*, which had been suspended, modifying his policy, and promising to limit it to social reforms, such as landlord and tenant right, in support of which was formed the “Independent Irish Party” in Parliament.† Mr Duffy was elected in 1852 member for the borough of New Ross, but resigned

\* Law Magazine and Review, vol. v.

† Men of the Time, 1872.

his seat in 1856 on proceeding to Australia. He held office twice in the Government of Victoria, as Minister of Public Lands and Works, and was requested by the Governor to form an Administration during a severe Ministerial crisis of 1860, but declined, because he was refused the power of dissolving Parliament. In 1871, however, he became Prime Minister of the colony. Mr Duffy, who on his arrival in Victoria was presented with a handsome estate by the Irish of that colony, has been twice married. Though he has been called to the bar, he has never practised.

In 1872 Mr Duffy ceased to be Prime Minister, but his public services were admittedly so great that his present title was conferred upon him. It is now rumoured that he intends returning to his native country, and will again seek a return to Parliament in the "Home Rule" interest. Outside the field of journalism, Sir Charles is most favourably known in the literary world.

THE RIGHT HONOURABLE WILLIAM KEOGH, SECOND JUSTICE OF  
THE COURT OF COMMON PLEAS IN IRELAND.

BORN A.D. 1817.

THE Right Hon. William Keogh, eldest son of William Keogh, Esq. of Corkip, county Roscommon, by the daughter of Austin Ffrench, Esq. of Rahoon, Galway, was born at Galway in 1817. He was educated at Trinity College, Dublin, where he obtained first-class honours in science, the Hebrew prize, the Vice-Chancellor's prize, and the Historical Society's medals. He entered as a student of Lincoln's Inn, and was called to the Irish bar in 1840, and in the short period of nine years became a Queen's Counsel. He was returned to Parliament as member for Athlone in 1847, and on the formation of Lord Aberdeen's Coalition Ministry in 1852 he was appointed Solicitor-General for Ireland, and held that post till March 1855, when he became Attorney-General. He was raised to the bench in April 1856 as fourth Justice of the Common Pleas in Ireland. He represented Athlone from 1847 to 1856. He married, in 1841, the eldest daughter of the late Thomas Roney, Esq., surgeon.

Mr Justice Keogh's rapid elevation is, so far as we can ascertain, without a parallel. Within sixteen years from the date of his admission to the bar, he was raised to the bench at the early age of thirty-nine. Mr Justice Morris nearly accomplished a similar feat, having won the judicial prize at the age of forty, and within eighteen years after his call to the bar. But though Mr Keogh's advance was so rapid, his pathway was not always strewn with flowers. Naturally impulsive, and of a highly ardent temperament, he threw himself body and soul into everything he undertook, whether great or small. Always moving at full speed, and under high pressure, it was not to be expected that he should escape occasional checks and serious collisions. Hence in all his engagements—in college, at the bar, on the platform, in Parliament, and on the bench—the same fiery spirit and indomitable energy



have been the cause of all his troubles, as well as of all his triumphs. To his enemies it must be some comfort to feel that a better-abused man does not exist at the present day; while his friends must be gratified to see that the abuse seems to sit very lightly on his judicial shoulders. If the learned judge deserved it, he has been amply chastised; if he did not, he is a deeply injured man; so that in either case we are not much inclined to rake up the history of the early sins he has committed, or the wrongs which he has suffered.

"The Galway Judgment," his last and greatest offence, will be noticed further on. Of his early transgressions the chief one appears to have been his desertion from the ranks of the "Independent Opposition." It seems that Mr Keogh and several other aspirants for Parliament solemnly pledged themselves to oppose every Government which would not repeal the "Ecclesiastical Titles Act," pass a satisfactory Land Act, and disestablish the Protestant Church; in other words, those gentlemen were forced by their constituents into a league to impede the legislation of the whole country until they extorted their demands from the Government of the day. Whether such an obligation would not have been more honoured in the breach than the observance, is a matter for the consciences of those concerned; but the fact remains that it was violated by all, with one or two exceptions. Amongst those who remained true to their pledges was the late John Francis Maguire, and we refer the reader to our memoir of that lamented gentleman for an account of the position which the "Independent Opposition" occupied in the House of Commons—a position so intolerable that desertion would seem to have been desirable, if not excusable.

We now pass on gladly to a point on which there can be no difference of opinion—the extraordinary ability of the learned judge. His college career, as we have seen, was highly distinguished. In the Historical Society—that little world of young and ardent spirits—he was conspicuous for that free and fearless expression of opinion for which he was so remarkable in after life. He had also the distinguished honour of winning the medals of the society. In this school, too, he acquired that promptitude which established his fame as a debater in the House of Commons. His eloquence was of the Demosthenic type, and rushed like a torrent, sweeping everything before it. But it was not a mere torrent of words—there was always a vigour and freshness of thought in everything he said. It was not, therefore, surprising that a man of his calibre preferred the exciting arena of politics to the tame pursuits of a mere lawyer's life. As a debater he had few equals in the House of Commons, and his encounter with Mr Roebuck, the "Sheffield blade," as he called him, will ever be memorable. Even the *Times*, with all its anti-Irish tendencies, spoke of him as "that great young Irish orator." He was held in the highest estimation by Lord Palmerston, and became his Attorney-General in 1855, and in 1856 was promoted by his Lordship to the Bench of the Common Pleas. At the bar, too, he made some speeches of extraordinary power; for example, his speech in the celebrated case of *Birch v. Somerville*. In the great divorce case of *Talbot v. Talbot* he fully maintained his character as an advocate of the first rank. It was a mistake to suppose that he had no pretensions to sound legal learning. His decisions since his elevation to the bench,

both in the Common Pleas and the Exchequer Chamber, must at once dispel any false impression that may have existed on this point.

In 1840 he wrote, in conjunction with Mr Michael J. Barry, an admirable treatise on the Practice of the Court of Chancery of Ireland; but a complete change of the Chancery rules occurring immediately after its publication, rendered the work useless. Amongst his other literary performances may be mentioned several political tracts of great merit, and a lecture on "Milton's Prose," delivered at the afternoon lectures in Stephen's Green, Dublin. This lecture caused a great sensation at the time, and his vindication of William III. gave considerable umbrage to many high personages, who were never impressed with feelings of admiration for the character of William "of the pious, glorious, and immortal memory." The Judge's vindication of His Majesty's character horrified some of his audience as much as if he had attempted to vindicate the character of his Satanic majesty. It is said that several reverend gentlemen near the door beat a hasty retreat, leaving the more favoured gentry in the reserved seats to sit it out in a state of exquisite torture. This famous lecture is printed and published, and the curious reader can satisfy himself on its merits.\* We have merely to record that the portion referred to electrified a large section of his hearers as much as his defence of the character and Irish policy of Oliver Cromwell astonished his hearers in his judgment in the Galway Election Petition.

Since his elevation to the bench, the judicial conduct of Mr Justice Keogh was never impeached or questioned until he delivered judgment on the trial of the Galway Election Petition. It is quite true that he often charged a jury in a very decided manner, and he has been sometimes accused of "running away" with a case.† But this was a fault arising from his superior ability and peculiar temperament, and was never ascribed to any motive except a wish to give the jury the benefit of his keen knowledge of the world and his great experience as a judge, to help them in arriving at truth upon the evidence before them.

We now proceed to the celebrated Galway judgment, and will endeavour to dispose of it as briefly as possible.

The petition was presented by Captain Trench against the return of Captain Nolan for the county of Galway, on the grounds of intimidation, and the petitioner claimed the seat although in the minority. The inquiry lasted fifty-one days, and the judge delivered his judgment on the 27th of May 1872. The judgment occupied nine consecutive hours, with an interval of a quarter of an hour only, and unseated Captain Nolan on the ground that his election was obtained by undue influence and clerical intimidation. After reviewing the state of things in the county and the circumstances preceding the

\* The Afternoon Lectures on Literature and Art, delivered in the Theatre of the Museum of Industry, St Stephen's Green, Dublin, in April and May 1865. London: Bell & Daldy, 186 Fleet Street. Dublin: Hodges & Smith and W. M'Gee.

† It is told as a Circuit story that on one occasion an eminent leader on the Munster Circuit, after Judge Keogh had delivered a strong charge to a jury, compared the charge to the Charge of Balaklava, and suggested that, for the future, it would only be fair that, after his Lordship's charge, one counsel at least on the other side should be allowed to address the jury.

recent election, the learned judge deals with the question of treating and the question of the undue influence of the Roman Catholic clergy. To the latter question the principal portion of his judgment is devoted. Setting out with the general statement that the Galway election presented "the most astonishing attempt at ecclesiastical tyranny which the whole history of priestly intolerance afforded," the learned judge proceeded to examine the conduct of a number of priests, whose names were mixed up with the election, of whom some had appeared and been examined before the Court, and others had not appeared. He wound up his judgment with the following declaration:—"I shall state to the House of Commons the result of all the evidence that I have now investigated as regards the organised system of intimidation which has pervaded this county in every quarter, in every direction, in every barony, in every town, in every place; I shall report to the House of Commons that the Archbishop of Tuam, the Bishop of Galway, the Bishop of Clonfert, all clergymen whose cases I have gone through, and who have not appeared (with one exception which I tore out of my paper lest I should make any mistake about it), and all the clergy who have appeared, with, I think a few exceptions which I will look most carefully into (I observe that the English judges have frequently reserved that power as to particular cases), have been guilty of an organised attempt to defeat the free franchise and the free votes of the electors of this county, and that Captain Nolan by himself, and Mr Sebastian Nolan, his brother, as his agent, in company with all those Episcopal and clerical persons whom I shall set out by name, have been guilty of these practices; and I will guard the franchises of the people of this county for seven years at least, for the statute will not allow any one of these persons to be again engaged in conducting or managing an election or canvassing for a candidate aspiring to be the representative of Galway."

The excitement aroused in Ireland by the delivery of this judgment was unbounded, and furnished a rare theme to the journalists. Never was a public man, not to say one of the judges of the land, an object of such unmeasured abuse as Mr Justice Keogh. It poured upon him in torrents from all the Roman Catholic journals, whether professing Liberal, National, or Fenian politics. Their differences were for the time forgotten, and they all joined with hearty zeal in a chorus of execrations. All the old stores of vituperation which they had kept in reserve for special occasions were searched for epithets to express their rage and fury.\* The *Freeman's Journal* complained that neither prelate nor priest escaped "the torrent of vituperation which foamed in increasing volumes from the judgment-seat," and contrasted "the courtly phrases applied to the aristocratic prosecutor of the prelates and priests of Galway, and the insolence of judicial insult indulged in against the prelates of the people." It even asserted, as a matter of fact, that "the organised attempt of the bishops and priests to put down freedom of election, which the most learned judge asserts to have been proved before him, and on which he bases his judgment, existed only in the extravagant harangues of the lawyers and the excited fancy of the judge." The cry of the *Freeman* was caught up in the

\* Annual Register, 1872.



provinces, and repeated with all the vehemence of the weekly press. Some of the journals engaged in this exercise every day, and devoted not one but several articles to the subject. The *Nation* was especially profuse in its invective. It said the "scandalous speech" of the learned judge "has excited throughout the length and breadth of Ireland feelings of the most profound disgust and indignation;" that "the blood boils in the veins of honest men as they read his villainous diatribe against the clergy of Ireland, and some of the most illustrious and venerated members of the sacred order." There is "no good Irishman living," it said, "who does not feel like a personal wound and insult the outrage offered by that swaggering upstart, the pledge-breaker of Athlone, the whilom friend, companion, and political conspirator of John Sadlier, to the great and good Archbishop of Tuam." It described the whole proceeding as "the Galway plot," got up by the Galway landlords to have revenge of the bishops and priests to ruin Captain Nolan by piling up the costs of a deliberately protracted inquiry. The *Irishman* described the rhetoric of the judge as "plainly modelled after that of Jeffrey." In addition to these manifestations of fury, Justice Keogh was burned in effigy in many parts of the country. At Harold's Cross, situate near the southern suburbs of Dublin, a figure representing the judge was brought out on the back of a donkey, and "a death warrant" having been read, it was dismantled and set on fire amidst the cheers of the populace. At the same time a rude effigy of the judge was burned in the main street of Kingstown in presence of a large crowd. In Bray a similar attempt was made, but the constabulary prevented it. A tar barrel, supposed to represent the judge, was lighted in Pill Lane, close to the Four Courts, as a manifestation of popular feeling. The police having arrested one of the ringleaders, were pelted with stones by the mob.

On the other hand, many leading Roman Catholics openly avowed their assent to the principles of the judgment; and the learned judge, going on circuit shortly afterwards, received strong addresses in his favour from the Grand Juries of several counties. "We desire," said the Grand Jurors of the North Riding of Tipperary, "to express, at this the earliest opportunity afforded us, and in language that cannot be mistaken, the indignation we feel at the accumulated insults that have been heaped upon one of Her Majesty's judges for the upright and feeling manner in which he has discharged a most arduous and difficult duty imposed upon him by Her Majesty's Government. From town to town throughout the length and breadth of the land, the judgment of Mr Justice Keogh has been made the excuse for holding public meetings, at which every effort has been made to bring the authority of the law into contempt. We desire at the same time to express our approval of the conduct of a judge who has not hesitated to prefer the honest and uncompromising discharge of his duty to every other consideration that could be brought to bear upon him, and who has been compelled in his own language to perform his duty under the most terrible denunciations, public and private." The same tone was adopted by the Grand Juries of Cavan, Meath, Monaghan, Enniskillen, and Tyrone; and by public feeling in England the judge was strongly supported. The Government even accepted the resig-

nation of the lieutenancy of his county by Lord Granard, who had publicly professed his sympathy with the popular clamour.

Meanwhile, the learned judge had lodged in the Court of Common Pleas a case, submitting the following questions, which had been argued at the hearing and reserved for the consideration of the full Court:—1st, Were the electors who constituted the majority of the respondent (Captain Nolan) fixed with sufficient knowledge of the disqualification of the said respondent, and should they have acted upon such disqualification, and refrained from voting for said respondent? 2d, Was the petitioner, there being no disqualification on his part, entitled to be declared elected for the said county of Galway?

The judgment of the Court was occupied with the legal question of the right of a candidate, who had only obtained a minority of votes, to be seated under the circumstances set forth in the judge's report of the case. Upon the question, whether the electors had sufficient notice of the disqualification of Captain Nolan, there was a disagreement in the Court, three judges being of opinion they had, and the Chief-Justice that they had not. In stating the grounds of his dissent, the Chief-Justice took occasion to say he had no doubt as to the truth of the allegations of undue influence and intimidation by Captain Nolan and his agents, consequently he could not question the propriety of unseating him. Mr Justice Keogh, who spoke last, gave judgment as follows:—"It now becomes my duty to express my opinion on this case. I gave no opinion on the matter in the Court at Galway. There the questions were most ably argued by the counsel on both sides, especially by Mr M'Dermott, junior counsel for the respondent. I have not given any opinion upon these questions since. I regret there should be any division in the Court, but I cannot see this great case by the lights of the authorities which my Lord Chief-Justice has brought to bear upon it, and I am happy to be fortified in the conclusions at which this Court has arrived by the authority of that great jurist and magistrate, Lord Denman, Chief-Justice of England, who, when he believed the liberties of his country were in danger, knew how to use words fit for the occasion, and calculated to rouse the attention of the people of England. I stated in the case submitted to the Court, and for the purpose of the questions I reserved, that the electors of the county of Galway had been intimidated by threats and denunciatioins of temporal injury and spiritual punishment. I, now sitting on this bench, which I am warned that I occupy at the will of and in subordination to powers other than my Sovereign, here declare that I have been obliged to consider this case and deliver this judgment—namely, that Captain William Le Poer Trench is entitled to be declared the member for the county of Galway, under many terrible denunciations, public and private."

Before proceeding to Mr Butt's motion in the House of Commons, the indignant manifesto of the Roman Catholic Clergy is deserving of a short notice. The Roman Catholic clergy, under the presidency of Cardinal Cullen, published a long protest, in the shape of an address to the Catholics of the Archdiocese of Dublin. The meeting of the clergy at which it was adopted was held with closed doors. We must content ourselves with a few extracts:—"A great scandal has come upon us.

A judge—a professing Catholic, clothed in the ermine of calm reason and matured wisdom—is reported to have uttered from the judgment-seat words of fiercest insult—words which have roused up the sleeping monster of bigotry throughout the empire, which have been echoed back to us from England in menaces of renewed persecution, which have brought disgrace on the cause of justice, and filled the friends of discord and disloyalty with unutterable joy.” It then alludes to the wise policy of modern English statesmen, which “had done much to rear up a throne for justice in the affections of the people of Ireland,” and states that the events of the past few days have well-nigh shattered that throne by “rousing into almost unprecedented indignation the feelings of a whole nation.” For centuries the bench was regarded by the people as the stronghold of their oppressors until better times came round, and they began to look at it as the seat of impartial justice; but the words of passion which have lately come from it have done much to awaken the memory of wrongs which they were willing to forget. Only those who are conversant with their inner feelings can sound the depths of their indignation. They feel that “the laws of decency have been violated, in order that their reverence for religion might be wounded,” that “by the unjustifiable language of a public officer, paid by their industry to administer justice, their religion had been blasphemed throughout the empire.” The address goes on to say that the clergy do not feel called on to canvass the merits of the decision at which the judge arrived, and leave to others the task of criticising it, if criticism be called for; but they enter their “solemn protest against the outrage on all propriety implied in the most unbecoming language which the reports of the public journals put into his mouth.” They, “with unfeigned indignation, repudiate the calumnious misrepresentations by which it is attempted to be established that the priesthood of Ireland was prepared to prostitute the most sacred institution of religion to the unworthy purposes of low political intrigue.” In the strongest terms which the sanctity of the place in which they stood would allow they resented the tone of the “harangue,” which was full of “insults to the religion and honour of the people.” There was nothing so sacred that it could hope to escape the “sacriligious invasion of this wild effusion.” The “Holy Father was sneered at, the national priesthood maligned, the discipline of the Church distorted, the unhappy cleric who was dragged before the tribunal was mimicked to cause amusement for his enemies.” It next proceeds to say—“It is not our business to defend the political actions imputed to some of our clerical brethren, neither is it our right to sit in judgment on their conduct. Indiscreet zeal may have carried a few of them beyond the line of decorum. But surely it is a question open for discussion, which of the two is more pardonable—the priest in the heat of an angry contested election, in which he believed that the independence of his flock was assailed, yielding to an impulse, unbecoming if you will; or the eminent judge, in the delivery of a solemn judgment, surrendering himself to almost a paroxysm of vituperation? If the cassock is judged to be defiled, surely the ermine is not quite unstained? If the priest is to be relegated to obscurity and political silence for his indiscretion, is the judge to go unquestioned? If altar denunciations



are censurable—as most unquestionable they are—is the temple of justice exactly the place to hear the foulest epithets hurled from the very seat of justice on the heads of men to whom the people look with respect, and in whom they repose their entire confidence?" The address concludes thus:—"Although this judgment has for the moment wrought mischief, good, great good, will come forth from it. It has aroused already the indignation of the whole kingdom against the insult offered to the national pride, and to the religious convictions of the people; and when the great battle of Irish education is to be fought, our countrymen will then remember that one of their own flesh and blood and religion, through the withering curse of a hostile university, was prepared to act a part from which, we firmly believe, the honest instincts of a Protestant-born man would make him shrink. We must not conclude without putting on record our firm conviction that the Courts of Justice in Ireland will not retain the respect, or command the confidence of our people, if men capable of thus insulting all they hold venerable and holy are allowed to preside on their benches."

Our space will only allow us to notice a few of the most remarkable passages in the address which gave the greatest offence to the Roman Catholic clergy. The learned judge defended Cromwell from the abuse to which his name had been exposed "by the vile tongue of that audacious and mendacious priest, Father Conway." He spoke of an agent of Father Loftus as a man called upon to "vamp up the debauched evidence of that priest." He spoke of Captain Nolan's great crowd of 2800 supporters as "mindless cowards, instruments in the hands of ecclesiastical despots."

On the 25th July 1873 Mr Butt moved for a committee of the whole House to consider the report of the address delivered by Mr Justice Keogh on the occasion of delivering judgment on the trial of the election petition for the county of Galway, and the complaints that had been made of the partisan and political character of that judgment. In an elaborate and effective speech the member for Limerick commented on the judgment of the learned judge; admitting at the outset that if the judgment were right in law, its language ought not to be lightly questioned, he maintained that it might be fairly excepted to be so, if it were violent, and intemperate to such an excess as to bring odium on the judicial bench, and to weaken public confidence in the administration of justice. But further than this, he maintained that the decision was wrong. It was threefold in its character—it unseated Captain Nolan, it gave the seat to Captain Trench, and it declared a certain number of persons guilty of undue influence and intimidation. With the first part of the decision he did not quarrel, though he thought the grounds insufficient; but he arraigned the other two as unconstitutional, and contrary to the evidence. After a narrative of the events of the Galway election, Mr Butt went on to compare the judgment and the evidence, reading numerous passages from both, interspersed with discursive comments. Its leading idea, he contended, was that the landlords and not the priests should control the votes of the Galway electors. The judge had set himself to prove this, and not that certain persons had been guilty of undue influence. It was carrying out this avowed intention that he used language which he (Mr Butt) charac-

terised as partisan, intemperate, insulting, and licentious. It was remarkable, Mr Butt said, that the judge always abused those most heartily who had censured his own career. He complained, too, that the judge had incriminated persons, against whom the four law officers were agreed there was no evidence, and that there was no condemnation in the judgment of landlord influence. He wound up with a fervid appeal for the removal of a judge who could no longer be trusted in his judicial capacity by any Roman Catholic.

Mr Henry James (since Attorney-General), came forward as the defender of Mr Justice Keogh, who for months, he complained, had been assailed by garbled statements, and in explaining the circumstances under which the judge had acted, he charged the Roman Catholic clergy of Galway with intimidation, and with having determined to break the common law, the statute law, and the ordinances of their own Church, in order to seize on the representation of the county. In proof of this Mr James exhaustively reviewed the evidence as to the interference of the Archbishop, the bishops, and the priests; and he read, too, many of the most striking of the altar denunciations, which were received with unmistakable expressions of disapproval by the House. Though he did not approve all the language in which it was expressed, though he pleaded that the judge was an Irishman speaking to Irishmen, Mr James declared that if he had been in Mr Justice Keogh's place he should exactly have delivered the same judgment, and he concluded a powerful and much applauded speech by calling on the House by its vote to teach a "proud priesthood" that it would permit no allegiance to be paid except to the Sovereign, and no obedience to be exacted except to the law.

The debate was adjourned, and resumed on the 8th of August, when the House having divided on the motion, the numbers were—Ayes, 23; Noes, 126. Thus, by an overwhelming majority, the House of Commons gave a clear expression of opinion that the conduct of Mr Justice Keogh in the famous Galway judgment did not call for the interference of the Legislature, however indefensible in some respects it may be in point of taste and judicial propriety

THE RIGHT HON. JAMES ANTHONY LAWSON, LL.D., P.C.

BORN A.D. 1817.

THE Right Hon. James Anthony Lawson, son of James Lawson, Esq. of Waterford, by Mary, daughter of Joseph Anthony, Esq., was born at Waterford in 1817. He was educated at Waterford Endowed School, and at Trinity College, Dublin. Among other high collegiate honours, he obtained a classical scholarship in 1836, and the gold medal in Ethics in 1838. He took the degrees of A.B. in 1838, LL.B. in 1841, and LL.D. in 1850. He was appointed in 1841 to the Whately Professorship of Political Economy in his university, a post which he held for five years. He was called to the Irish bar in 1840, made a Queen's Counsel in 1857, and a bencher of the King's Inns Dublin, in 1861. He was appointed law adviser to the Crown

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in Ireland in 1858, and on the formation of Lord Palmerston's second administration in 1859 he became Solicitor-General. He succeeded Mr O'Hagan as Attorney-General in 1865, from which office he retired on the fall of Lord Russell's second administration in July 1866. On the formation of Mr Gladstone's administration he again became Attorney-General, and held that post until he was appointed fourth Justice of the Court of Common Pleas in 1868. In 1857 he was an unsuccessful candidate in the Liberal interest for the University of Dublin, and was first returned for Portarlington at the general election in July 1866. He was made a member of the Privy Council in 1865. He has written "Lectures on Political Economy" (1844), and has contributed frequent papers on Law Reform and other subjects to the Dublin Statistical Society, of which he is vice-president. He married in 1842 Jane, eldest daughter of Samuel Merrick, Esq. of Cork.

From the foregoing brief sketch of Mr Lawson's career, it will be seen that the high distinctions which he was fortunate enough to obtain in college were not unfairly considered as the pledge and earnest of future success. The year after his call to the bar he was the successful candidate, in a competitive examination, for the professorship of Political Economy in Dublin University. In the same year he undertook the laborious office of reporter in the Court of Chancery, in conjunction with Mr Henry Connor. The results of their united labours have been published in several volumes, the first appearing in 1842, under the title "Reports of Cases Argued and Determined in the High Court of Chancery during the time of Lord-Chancellor Sugden." The work of an authorised reporter of legal cases and arguments is not, as is often vulgarly supposed, a mere mechanical operation of recording verbatim the proceedings as they take place before the Court. The exercise of sound judgment and discrimination, coupled with a considerable amount of legal learning and acumen, is almost invariably required in order to present a succinct, but adequate statement of the facts material to the issues to be determined, and of the arguments on both sides addressed to the law as applicable to the facts of each case. The satisfactory manner in which Mr Lawson and his fellow-labourer discharged their difficult and exacting duties is best attested by the high estimation and authority always conceded to the reports which bear their name. It was, no doubt, to this early training under that great judge, and the eminent men then at the Chancery bar, that Mr Lawson owed the acquisition of his sound knowledge of the law and practice of the Court of Chancery, which in after years raised him to the foremost rank as an Equity lawyer, and thence to his successive preferments, until he reached the bench. But while he was engaged in this hard, though wholesome, discipline, he did not neglect the duties incident to his professorship. For the five years, during which he held that honourable and responsible post, he laboured actively and successfully in the consideration of those social and economic questions upon the true understanding of which the prosperity of a country mainly depends. In 1844 Mr Lawson published a short course of lectures on Political Economy, which he inscribed to Archbishop Whately, to whose liberality the professorship owed its existence and support. These lectures, although forming part of a series, are complete in them-



selves. They are written in a clear and attractive style, and the subjects discussed in them are presented in such a way as to be easily understood by the general mass of readers. The learned professor, at the outset, admits that while, like many others, he only viewed the science at a distance, he was disposed to regard its pretensions with contempt, but adds, that the result of a nearer view was "to remove those prejudices, along with the ignorance which gave them birth, and to show him the value of what he once slighted." We believe that all persons similarly biassed will derive much benefit from the perusal of these able and admirable lectures,\* which still hold their place as valuable contributions to the science of political economy.

The high reputation which Mr Lawson thus established for himself must have done him good service in his early efforts at the bar; although it not unfrequently happens that collegiate distinctions are not the best letters of recommendation to practice in the Irish Courts. As a general rule, a large number of that highly intelligent body, which has the disposal of business favours in its hands, contrary to the maxim, "*Omne ignotum pro magnifico*," are not impressed with feelings of high admiration for the profound learning which emanates from the chairs, either of Law or Political Economy. No doubt many learned professors of law have failed as practical lawyers; and political economists as well as lawyers have notoriously proved bad and impracticable legislators.† Mr Lawson, however, proved an exception to the rule, and in spite of every prejudice against learned professors, he succeeded in winning the golden opinions of the attorneys and solicitors of the Irish Courts, and subsequently the "sweet voices" of the free and independent electors of Portarlington.

Of his success in Parliament there cannot be two opinions. In short, it may be truly said, that in every phase of his career—in college, at the bar, in the senate, and on the bench—he presents a noble example of the triumphs of patient industry, and well-directed talent. It was a faithful description which he gave of himself in his speech from the platform to the electors of Trinity College in 1858, when, availing himself of the freedom allowed men in speaking of themselves on such occasions, he said—"I first came to your college as a student, having no patrimony except those talents which God has committed to my charge. I went from this place to a profession, where, by patient and diligent industry, apart from the turmoil of the political world, I have achieved an honourable position, which makes me independent of the favours of any government. I delight in the exercise of that profession. By it I am able to satisfy every wish, and I enjoy there that which I value more than anything else—the love and esteem of my brethren of the bar."

In 1857 Mr Lawson unsuccessfully contested the representation of

\* "Five Lectures on Political Economy," delivered before the University of Dublin in 1843, by James A. Lawson, LL.B. London: J. W. Parker, West Strand. Dublin: A. Milliken, Grafton Street. (1844.)

† This opinion was once unintentionally expressed by an Irish M.P., who was afflicted with the "dis and dat" peculiarity of speech. Dilating on the merits of John Stuart Mill, he thus delivered himself—"I consider Mill one of de greatest political t(h)inkers of de day."

Dublin University. A feeling had been long growing up among the electors that it was disparaging to the university that she should be represented by any other than one who had been educated within her walls, and received his degree at her hands, and thus became acquainted with her requirements, and attached to her system and interests. In 1842 public expression was first given to this sentiment; and an opposition was organised against Mr George Alexander Hamilton on the ground of his being a graduate of Oxford. The same objection was again relied on, and without success, in 1847, when Mr Napier came forward to contest the representation. Similar objections, and with a similar result, were urged by Mr Lawson's supporters in 1858. His honourable connection with the university, and the bold and able manner in which he stated his views on the leading questions of the day, would have probably insured his success, but for the stumbling-block of the Maynooth Grant, the withdrawal of which he opposed on grounds of expediency, and as sure to inflict a deadly blow to the Irish Church Establishment. The prejudice thus excited against him was so strong in certain quarters, that all attempts to vindicate his views proved ineffectual. Mr Lawson and his assailants on that occasion had then little idea that the withdrawal of the Maynooth Grant was to follow and not precede the disestablishment of the Irish Church, or that the converse of Mr Lawson's position would prove the truth, and the destruction of the Established Church in Ireland would inflict a death-blow to the grant to Maynooth.

Mr Lawson declared himself on that occasion to be strongly attached to his Church as it then existed in connection with the State, although he indicated certain reforms as to the distribution of its revenues, and other matters of internal economy, which he would wish to see effected. His opinions on disestablishment and the voluntary principle are interesting at the present moment, when the new organisation is on its trial. In this view, as well as from a wish to do justice to Mr Lawson, we give the following short extract from his speech on the hustings in 1858:—"Mr Whiteside said here that I spoke of the Church being injured if the withdrawal of the grant to Maynooth was pressed. My conviction is, that if all the property of the Church was taken away to-morrow, her religious efficiency would not be one whit disturbed. I believe we have still the virtue and energy amongst us, if these endowments were taken away, to send out our clergy and our missionaries through the length and breadth of the land to spread the knowledge of the truth. But I tell you what we would lose. We would lose the benefit of a resident clergy; and when you consider how the character of the clergy of our Church has within the last half century improved—when you consider the position which the ministers of the Church now occupy in our country parishes—when you see the minister the centre round which every kindly and social feeling of the parish gathers—when you see him the temporal succourer and adviser, even of those who belong not to his own communion,—I ask, who would be the man to raise his hand to destroy the system from which spring such glorious results? And, gentlemen, when I recollect those disastrous times which recently passed over this country—when I recollect how that noble band of ministers then stood between the living and the dead—

how, with energy, which could only be supplied from on high, they struggled with all their might to mitigate the horrors of that visitation—when, though their own cheeks were often blanched with want, though they saw the tender frames of their wives and daughters sinking into the grave under the accumulation of woes—was any man ever heard to say that their feet were absent from the house of death, or that their hands were not stretched forth to minister and to save? Many of these men, we know, perished under the sufferings of that visitation. No human pen can write their epitaph; it is written in characters of everlasting life. . . . But while thus a supporter of the Established Church, I am warmly attached to the Voluntary principle, too. If we were sitting down like Plato, to plan a republic of our own, we might be led to the conclusion that the Voluntary system was the best; it affords the widest scope and range to healthy individual action; but as in the British Constitution the most desirable results are brought about by the combination and joint action of principles apparently adverse and opposed to each other, so it is my belief that the perfection of religion and Church government is brought about when the Voluntary principle aids and supplements the existence of the Church Establishment. While the Establishment provides a barrier against infidelity by keeping the standard of religious truth fixed and ascertained; while it discourages the undue multiplication of sects, and induces moderation in religious opinion, the Voluntary system, by its individual energy, supplies an amount of vigorous action which is wanting in the other, and affords an opening for the exercise of the most active and ardent piety—*‘utrumque per se indigens, alterum alterius auxilio eget.’* Such an union has worked with eminent success in our country. Look at the societies which now spread out their arms to send the gospel through every part of the world; look at those organised to give temporary succour at the bedside of the poor at home; look at the Churches which have sprung up in populous districts founded upon those principles; look upon the ministers who fill their pulpits, and the manner in which they proclaim the truths of the gospel to their congregations;—look at this, and you will agree with me that our Establishment would be weak indeed, if it were not sustained by the Voluntary principle.”

We have given this extract from his speech on the hustings at Trinity College in justice to Mr Lawson. It has been charged against him that the attachment which he then professed for the Established Church had cooled considerably in the interval between the years 1858 and 1868. But it is obvious that in 1858 he had a strong hankering after the Voluntary principle, and all due allowance being made for the growth of opinion in the meantime, the language which he used in his speech in Parliament on the Established Church debate was not so violently inconsistent with his language in 1858. He thus concluded his speech on the Church question:—“The Establishment was associated in the minds of the people with persecution, conquest, and confiscation, and nothing could be more calculated than such a feeling to impede the spread of Protestantism. The House had been warned to beware of alienating the affections of the Protestants of Ulster; but surely this consideration was not entitled to any weight, unless it could be shown that the maintenance of the Establishment was consistent



with justice and expediency. If he might venture to address his Protestant fellow-countrymen, he would exhort them not to embark in a struggle which could have but one result. Let them not excite the anger and animosity of rival creeds, but let them have confidence in the religion of which they were adherents, and fling aside the artificial supports which, instead of sustaining their Church, had really hindered its healthy and vigorous action. Let them be satisfied with a fair field and no favour; and for his own part, he felt convinced that, when these supports were withdrawn, the Church would be maintained without difficulty by its own members, and be in a more efficient state than it was at present. The duty of Parliament was clear, and the maxim it was bound to adopt with reference to all religious denominations in Ireland was—

“ ‘Tros Tyriusque mihi nullo discrimine agetur.’ ”

Until we acted on that principle, we could never expect loyalty and contentment to prevail among the Irish people.”

Before we proceed with Mr Lawson's Parliamentary career, this seems to be the proper place to make some further allusion to his literary performances. It would be impossible within our limits to do justice to the many valuable services which Mr Lawson has rendered to the cause of liberal and enlightened progress in the respective fields of education, law, and politics. Amongst the many able and instructive lectures delivered from time to time before the Dublin Young Men's Christian Association, his lecture on “The Duties and Obligations involved in Mercantile Relations” deserves an especial notice. Although an impression seems to prevail that such institutions are often taken advantage of for the purpose of self-glorification by men who have no legitimate pretensions to assume the office of public instructors, it will be found that there is no just foundation here for this impression, as every impartial reader and student of the lectures delivered before this association, and of the “Dublin Afternoon Lectures,” must admit that they form most valuable contributions to our literature, and throw much light on some of the most interesting questions of social science. Many men of ability and learning, who are deterred by certain obvious objections from communicating their thoughts to the public through the ordinary channels, are encouraged to give to others the benefit of their acquisitions in this easy and unpretentious form. Furthermore, what has been said of Lord St Leonard's “Handy Book,” that it contributed more to his fame than all the great standard works which emanated from his pen, may be said of the performances of the many illustrious men who have laboured in this, as well as in the more ambitious arena of the literary world. We append the following extract from Mr Lawson's lecture, which was received with marked approbation by the young men of the mercantile classes in Dublin. The approval of such sentiments evidenced a state of feeling utterly opposed to the communistic doctrines of the Fenian conspirators, as they were some ten years afterwards unfolded by Mr Lawson in his capacity of Her Majesty's Attorney-General, before the Social Commissioners in Dublin in 1866.\*

\* “Duties and Obligations involved in Mercantile Relations:” A Lecture by

“Let me here pause to say a few words upon the pursuits of business. Most of those whom I address are engaged in them. It is the lot of few to inherit, without exertion on their part, the wealth accumulated for and transmitted to them by others; few they are—nor, indeed, would I call them the happy few, for labour is the lot of man, and when the necessity of labouring is not imposed upon him he either languishes under an indolence, which is a more grievous burden than the severest toil, or creates for himself care and trouble from which the life of the day-labourer is exempt. It is the lot of most of us to work our way through life by hard toil and unceasing exertion in those various callings of business in which Providence has placed us, and this is a lot with which we should not only be contented, but in which we ought to feel, and I trust do feel, a just and honourable pride. Business is, indeed, honourable and ennobling, if pursued in the true and right spirit of workers. The progress of opinion on this subject is remarkable. In days when there was little light and little truth diffused throughout the world, the pursuits of business or handicraft were regarded with contempt; even among the generation which preceded us in this country, business was too often looked on by those who had some pretensions to gentility as a degradation to which they could not submit their children. Experience and increase of knowledge have taught a different lesson; and amongst the men of business and the working men in these lands, there is to be found a spirit of devotion, of generosity, and of honour, which would do credit to the boasted chivalry of our ancestors. Daily instances of self-sacrifice, of self-denial, of generous devotion, are to be found amongst the hard-handed sons of toil. England has been called in contempt a nation of shopkeepers, and history can attest what a nation of shopkeepers is able to perform. I believe the true secret of our national greatness is, that we are, to a great extent, untrammelled by the fetters of caste and rank, that all occupations are free to those who choose to engage in them, and that there is no station in the country so high as to be beyond the reach of those who have talents and energy to attempt and achieve great things; and although, of course, the instances are not very numerous in which a pauper becomes a peer, yet we see that there is a wholesome circulation through all the ranks of society—that the highest class have their numbers recruited from those just beneath, and so on down through all the gradations of society. Thus every man is encouraged by the hope of bettering his condition, and of raising his children to a higher place than he himself occupies; this it is which prevents the life-blood of our social system from stagnating, and ensures vigour and vitality in every part.”

We believe the same sentiments would still be approved of by the mercantile classes in Ireland. The Fenian conspiracy was mainly, if not altogether of foreign growth, and never possessed the sympathies of the Irish people at large. The socialistic schemes of the brotherhood found favour only with the most indigent and reckless portion of the community, and the utter demolition of the social fabric was never seriously contemplated or encouraged by any except the

J. A. Lawson, delivered before the Young Men's Christian Association, in the Rotunda, Jan. 16, 1855. London: Parker & Son.



dupes of penniless and desperate adventurers. The reception very recently given to the delegates of the "International" in Dublin and Cork affords a convincing proof that Fenianism had not the effect of destroying all respect for religious or civil authority in Ireland. The fact of convictions having been obtained in nearly all the Fenian trials has been already adverted to as evidence that the conspiracy was condemned by every man of intelligence and property in Ireland. The Special Commission for the trial of the Fenian prisoners was opened in Dublin on the 27th of November 1865, before Mr Justice Keogh and Mr Justice Fitzgerald. Stephens, the "Head Centre," had effected his escape from Richmond Prison on the 25th of November, and the trial of Thomas Clarke Luby, the proprietor of the *Irish People* newspaper, was first proceeded with, Mr Lawson as Attorney-General, and Mr Sullivan as Solicitor-General, conducting the prosecution. The prisoner, although ably defended by Mr Butt and Mr Dowse, was found guilty, and sentenced to penal servitude for twenty years. The trials of the other prisoners, O'Donovan Rossa, and other minor celebrities, followed in quick succession, and with similar results in nearly every case, and Mr Lawson and his colleagues were kept pretty busy until the close of the Commission.

Mr Lawson's first speech in Parliament was in reply to The O'Donoghue, who moved an amendment to the paragraph in the Address which related to the disaffected state of Ireland. Mr Lawson, as Attorney-General, opposed the amendment.

He admitted that it was the duty of the Government to inquire into the causes of whatever disaffection might exist in Ireland, and that duty, he said, they would perform without reference to the Fenian conspiracy. He showed, however, how the adoption of the proposed amendment would imply that the conspiracy had been produced by the existence of grave causes of disaffection, and that he denied to be the case. He quoted from the *Irish People* to prove that the object of Fenianism was the total overthrow of all the institutions of the country, and pointed out that it had spread among the Irish in America and in England, who were exempt from the misgovernment of Ireland. He concluded his effective and well-reasoned speech by denying that the British Parliament had ever shown itself unwilling to entertain any measures devised for the benefit of Ireland.

The reputation which preceded Mr Lawson into the House of Commons was soon confirmed, and in all the debates on Irish questions in which he took part in the years 1866-67 and 1868, he showed great debating powers, and proved himself a remarkable exception to the rule that lawyers generally fail in the Legislative Assembly of the nation. It must suffice here to mention some of the principal debates in which he took a prominent part under the following heads:—1856. Speech in answer to the Amendment of the Address, Catholic University, Cattle Disease, Law Officers, Union Rating, Admiralty Court (Bill), Court of Chancery (Ireland), Chief-Justice Lefroy, Drilling of Tenants, National Education (Motion for a Committee), Escape of Stephens, Queen's University, Tenure Improvement of Land, Ecclesiastical Commissioners, Fenian Prisoners. 1867. Court of Chancery (Ireland), Dublin University Professorships, Habeas Corpus Suspen-



sion Act, Industrial Schools, Court of Exchequer (Ireland), Railways (Ireland), Trinity College (Dublin), Waterford Elections, Joint-Stock Companies, Offices and Oaths, Petty Juries (Ireland). 1868. Election Petitions and Corrupt Practices, Established Church (Ireland), Fines and Fees (Ireland), Libel, Comm. Registration (Ireland), Representation of the People (Ireland), Sea Fisheries.

It is evident from this list of debates in which he took part, that Mr Lawson's industrious habits followed him into Parliament. The services to his party were considered so valuable that on the first vacancy occurring on the Irish Bench the choice fell on him.

It will be remembered that the Bill introduced by him and Mr Sullivan, the Irish Solicitor-General and M.P. for Mallow, was thrown out by a ludicrous mistake. An Irish member, who warmly supported the measure went into the wrong lobby on the division, and so the Bill was lost. Mr Lawson would, of course, have been the first Vice-Chancellor of Ireland had the Bill then passed into law. It was no doubt very trying to his feelings to see his bantling soon after in the hands of a Tory Attorney-General, and carried triumphantly through a committee of the House. It was, indeed, a painful case of "*Sic vos non vobis*;" but the mortification was not of long continuance. In 1868 he was raised to the Bench of the Common Pleas, a post for which he was well qualified, as he had acquired a high reputation and large practice at the bar as a Common Law lawyer, although he was lately obliged, from pressure of business, to confine himself altogether to the Court of Equity.

As a judge, he performs his high and responsible duties ably and fearlessly, and enjoys the full confidence of the legal and general public.

## LORD CAIRNS.

BORN A.D. 1819.

THE Right Hon. Hugh MacCalmont Cairns is the second son of the late William Cairns, Esq. of Cultra, county Down. He was born on the 27th of December 1819. He graduated A.B. in Trinity College, Dublin, in 1838, having throughout his undergraduate course obtained first classical honours. He received the honorary degrees of LL.B and LL.D in 1862. He was called to the bar at the Middle Temple in January 1844, and soon attained so prominent a position in the Court of Chancery that he received the honour of a silk gown in 1856, and was at the same time elected a bencher of Lincoln's Inn. His official life began under Lord Derby's first administration, when he was appointed Solicitor-General, and received the honour of knighthood. He was Solicitor-General from February 1858 to June 1859. Under Lord Derby's second administration, he became Attorney-General, and held that post from June to November 1866, when he was promoted to the important office of Lord-Justice of Appeal in Chancery, and was added to the Privy Council, and in February 1867 was raised to the Peerage as Baron Cairns of Garmoyle, in the county of Antrim. In March 1868, he became Lord Chancellor; and after nine months'

tenure of that high office, he retired on Mr Disraeli's resignation in December 1868, and became the leader of the Conservative party in the House of Lords. He received the honorary degrees of LL.D. of Cambridge in 1862, and of D.C.L. of Oxford in 1863, and was elected Chancellor of the University of Dublin in 1867. He represented Belfast in Parliament from July 1852 till his elevation to the bench in October 1866. He married, in 1856, Mary Harriet, daughter of the late John McNeile, Esq. of Parkmount, county Antrim.

The above is a short outline of the many important phases in the life of this distinguished Irishman. Since he commenced his public career on his call to the bar in 1844, it would be impossible to find grouped together in so short a space of time such an accumulation of high honours enjoyed by any one man of the present day. "Within three years," writes Mr Foss, in his *Judges of England*, he (Lord Cairns) passed through three legal offices—Attorney-General, Lord-Justice of Appeal, and Lord Chancellor—rising from a practising barrister to the highest seat in the law; from a simple member of the House of Commons, to the Speakership of the House of Lords; and after less than ten months' enjoyment of that honourable office, he has been intrusted with the still more responsible position of the leadership of the Conservative party in the House of which he had been so short a time a member. Such a rapid advance as this has never been before witnessed—such proof of confidence is almost unparalleled."

On Lord Cairns' entrance upon official life as Solicitor-General, the highest tributes that were ever paid to a public man were paid to him by the press of both countries, as well Liberal as Conservative. The *Times* (March 2, 1856) observes:—"Mr Cairns, the Solicitor-General, is a Chancery barrister, who has won his way at an early age to the first rank in his profession, and may look forward to the highest legal distinction." After announcing his appointment, the *Belfast Mercury* says:—"Politics entirely apart, such an appointment is a most eloquent tribute to the character Mr Cairns has achieved for himself at the English bar. He is undoubtedly one of the most eminent men of his standing in Chancery practice, to which he has principally devoted himself. In England no minister dare promote a barrister to a high office merely on account of any personal or political predilections. The appointment must carry with it the sanction, the approbation, the plaudits of the bar, else it dare not be made. . . . It is an honourable recognition of the high standing and character Mr Cairns has achieved for himself at the English bar, his appointment to so dignified an office as that of Her Majesty's Solicitor-General for England. We do not agree with him politically, but this is no reason we should be blind to his merits, or less rejoice that a Belfast man has earned for himself by studious application and mental greatness, an honourable reputation and high official distinction." The *Morning Post* (Lord Palmerston's organ) also spoke of the elevation of Mr Cairns as one that was "unexceptionable in all respects." "The short but brilliant career of Mr Cairns," says the *Morning Herald*, "affords an almost unparalleled example of the triumph of genius in that walk of life, which more than any other is beset with obstacles to advancement. The honours of the law courted with so much assi-

duity are very coy, and slow to be won. It is barely fourteen years since Mr Cairns was called to the bar, and he is now Solicitor-General. Ireland may with reason be proud of her sons. In promoting such men as these the Premier has done wisely." It would be easy to multiply complimentary notices from the various organs of public opinion, but we will only quote one passage more on the subject. The London correspondent of the *Freeman's Journal* writes thus:—"The appointment of Mr Cairns, member for Belfast, to be Solicitor-General has given unqualified satisfaction to the members of the legal profession on this side of the Channel. The rapid advancement of Mr Cairns to the foremost rank of Equity lawyers in this country is almost without precedent in the annals of the English bar. The honourable and learned gentleman had been employed during the last five years in all the most important cases that came before the public, and the amount of business brought to his chambers when a stuff-gownsmen exceeded that of many members of the inner bar of double his age and experience. Two years ago his name, with those of a dozen other Equity lawyers, was submitted to the Lord Chancellor for the honour of silk; but Lord Cranworth selected Mr Cairns and Mr Selwyn only as the candidates entitled to that distinction."

The foregoing extracts are intended to show that Lord Cairns has won his high reputation by his eminent abilities as a lawyer, and that his progress at the bar was the result of great intellectual superiority, untiring industry, and unceasing application and study of the science of his profession.

Since his elevation to the Peerage Lord Cairns has taken a most active and distinguished part in the public and judicial business of the House of Lords. Soon after he became Lord Chancellor, he was called on to preside at the Judicial Committee of the Privy Council in a celebrated Indian appeal case. The *Times*, of the 5th of March 1868, thus alludes to the appearance of the new Chancellor on that important occasion:—"The occasion was one well fitting the *début* of a new Lord Chancellor, in whose person the country recognises the elevation to the woolsack of one of the ablest lawyers that has hitherto adorned the bench; for the value of the property in dispute in that case was, as stated at the bar, about £300,000 sterling, while the political issues involved were of proportionate magnitude, and in their interest for Indian princes one probably of the highest importance to the stability of our Indian Empire."

Thus, in the highest office in the law, Lord Cairns' superiority in legal and judicial attainments was fully acknowledged; and it must be peculiarly gratifying to him to feel that all his distinctions were achieved, not by any back-stair influence, any political intrigues or political subserviency, but solely by his own endowments and superior talents. In the House of Commons he was distinguished for the clearness of his statements as much as for his effective reasoning powers and brilliant eloquence. By the same qualities and by a more remarkable solidity of judgment, and a straightforward consistency of conduct, he has acquired the respect of the Peers. Thus clear-sighted, eloquent, forcible, and convincing, there is no other member of the Upper House better qualified to expose the fallacies of an opponent,



or unravel the tangled sophistries of orators of a certain type, and effectively denounce what he considers the dangerous doctrines of the extreme political school. We shall not in these pages attempt to particularise the many great incidents of his Parliamentary career with the minuteness of regular biography; they come, indeed, more properly within the province of the historian. The part he has recently taken in the great debates on the Irish Church and Land Bills, the Judicature Bill, and other great measures, have already passed into the domains of history, and will be better estimated by the calm and dispassionate criticism of later times. At the present moment, when he has been again called to the high office of Chancellor of Great Britain, the rule of reticence which is usually observed with respect to living men, must especially prevail in the case of one who is thus discharging the highest judicial functions; and we conclude our short and imperfect sketch of this distinguished Irishman with an humble but just tribute to his moral worth. We sincerely and fearlessly say that a man of higher principle and greater integrity it would be difficult to find, whether in the capacity of an advocate, a legislator, or a judge.

We append the following extract from a biographical notice of Lord Cairns, which appeared in *The Hour* of the 6th of March 1874. After giving a short preliminary sketch of the leading events of his lordship's life up to that period, the writer goes on to say:—

“Such, when told in the briefest manner possible, was the career of one of the most remarkable barristers during the first forty-nine years of his life; and what would this career have been had it not been for the Union which it is the object of the Home Rulers to repeal? If Ireland had been governed by an independent legislature, Lord Cairns' ambition would have probably prompted him to obtain a seat in the Parliament of Dublin. He could not, certainly, have gained admission to the English House of Commons through an Irish borough, which would not have been entitled to return a member to St Stephen's. If confidence in his own ability and ambition had induced him to turn his back on the Irish Channel, his position at the bar might possibly have led to his introduction to Parliament through an English constituency. He would then, probably, have attained the same eminence which he has reached now. But what a commentary would such a state of things have afforded on Home Rule! The most brilliant Irishman of the day, Lord Chancellor of England, and an Irish Parliament with the most brilliant Irishman bearing no part in it!

“The most striking portion of Lord Cairns' career was, probably, that during which he filled the office of Solicitor-General. The Treasury bench was at that time peculiarly strong. The present Prime Minister, the present Lord Derby, the late Lord Lytton, and Sir Hugh Cairns were orators of almost unequalled power; and, though the Opposition had a superiority in numbers, they had rarely, if ever, an advantage in debate. Sir Hugh Cairns was certainly not the least able of these four great advocates; and he, probably, took a more prominent part in the proceedings of the House of Commons than any other recent law officer has done. The circumstance was, no doubt, due to Sir Hugh Cairns' peculiar disposition. Lawyers are usually charged with taking a narrow view of political matters. Their legal training has accustomed them to

criticise minute defects in an argument or case; and they are frequently unable to brush away mere technicalities from their path, and rest their arguments on broad considerations of policy alone. Sir Hugh Cairns, at any rate, could not be charged with any such narrowness. He habitually merged the lawyer in the statesman, and, in consequence, occupied a position on the front bench which has rarely been secured by any mere law officer.

“Lord Cairns’ career in the House of Lords has been no less extraordinary. From 1868 till 1870 he combined the duties of a chancellor and ex-chancellor with those of a leader of the Ministry and of the Opposition. On certain subjects his authority has been very great indeed; he has been even charged by his opponents with aiming at something like omnipotence. His intervention last year compelled the Ministry to alter their Judicature Bill, and to abandon the intention which they had rashly originated in the Lower House, of transferring Irish and Scotch appeals to the new Appellate Court which it was the object of the measure to constitute. But Lord Cairns’ intervention, effective though it was, was not prompted by any desire to prejudice a measure of law reform. The extended provisions which Mr Gladstone desired to introduce in the Commons were objected to, not because they were in themselves undesirable, but because their introduction in the Lower House would have effected the position of the House of Lords, and have consequently involved a breach of privilege. It rests with Lord Cairns now to show that his objections then were based on a purely technical ground. He can only do so by himself completing the great work of law reform of which Lord Selborne has given us a small instalment.

“There is, in fact, good reason for hoping that Lord Cairns’ second chancellorship may be memorable for some very comprehensive measure of this description. Lord Cairns, like all Irishmen, is a strong politician. He is a Conservative, and therefore a strong Conservative. But he has always displayed a considerable readiness to redress any real evil, or to remove any practical blot. The instalment of law reform which was carried last year could not by any possibility have been passed without Lord Cairns’ assistance. It would have been of less value than it has proved if it had not been subjected to his criticisms. The situation is now reversed. The critic of 1873 will have to frame law in 1874; the framer of the Judicature Act of 1873 will be this year’s critic. But there is no reason for supposing that the cause of law reform will be retarded because the players have changed sides. Lord Cairns, Lord Selborne, and Lord O’Hagan have, on this subject, proved that they can rise above mere considerations of party, and that they can join hands in simplifying a costly and complicated system. The country could obtain no greater boon than a real measure of law reform; Lord Cairns has thus enhanced his already great reputation in successfully carrying this most important measure of law reform.



## SIR FRANCIS LEOPOLD M'CLINTOCK.

BORN A.D. 1819.

SIR FRANCIS LEOPOLD M'CLINTOCK was born in Dundalk, July 9, 1819; entered the royal navy in 1831, and attained the rank of lieutenant for distinguished services rendered by him in rescuing H.M.S. "Gorgon," which had been stranded in that year at Monte Video. Three years later he signally distinguished himself in the voyages of Sir James Ross, and Captain (afterwards Admiral) Austin, and especially in his extensive journeys on the ice when associated with Captain Kellett. It was in one of these journeys, which he made from Griffith's Island to Melville Island and back (having travelled over 960 miles in sixty days), that M'Clintock deposited on the latter island, in June 1851, a record which was discovered in the following year, and ultimately led to the rescue of M'Clure.

In 1851 the "Assistance," of which M'Clintock was first lieutenant under Captain Austin, returned to England, to be despatched in the following year as one of the squadron commanded by Sir Edward Belcher. On this expedition he sailed in command of the "Intrepid" steamer, attached to the "Resolute," under Captain Kellett. Two successive winters were passed by these ships in the Arctic regions. During this period M'Clintock proved himself evidently well-constituted for these peculiar and trying services required in Arctic exploration. Possessed of rare powers of endurance, active, adventurous, and farseeing, he established for himself a reputation, which caused him to be selected in 1857 by Lady Franklin to command the expedition in a final search for Sir John and his companions. On the 1st of July 1857 the "Fox," a yacht of 170 tons, purchased by Lady Franklin, under the command of Captain M'Clintock, sailed from Aberdeen.

A misfortune befell the "Fox" during the first summer. The preceding winter having set in earlier than usual, the "Fox" was beset in the ice of Melville Bay, on the coast of Greenland, and after a dreary winter, various narrow escapes, and eight months of imprisonment, was carried back by the floating ice nearly 1200 geographical miles. When liberated in 1858 M'Clintock retraced his course, entered Lancaster Sound, and wintered in Port Kennedy, at the east entrance of Bellot Strait. In the spring of 1849 the search was commenced. Leaving the "Fox" in her winter quarters, sledge journeys of great length were organised and attended with great success. On the north-west shore of King William's Land a record was discovered, announcing that the "Erebus" and "Terror" had been deserted on the 22d April 1848, five leagues N.N.W. of that place, having been beset since 12th September 1846; that the officers and crew, consisting of 105 souls, under the command of Captain F. R. M. Crozier, landed there on the 25th of April 1848; that Sir John Franklin died on the 11th June 1847. A note attached to this document stated that the party intended starting on the next day (the 26th) for Back's Fish River. The discovery of skeletons, a boat, and other relics, and the report of the Esquimaux, leave no doubt that they also perished. Shortly after the return of



the "Fox" to England, in the autumn of 1859, M'Clintock published a narrative of *The Voyage of the "Fox" in the Arctic Seas in Search of Franklin and his Companions*. A perusal of this simple narrative of bold adventure alone can enable us duly to appreciate the services of M'Clintock and his brave companions in successfully revealing the last discoveries and the fate of Franklin, and adding largely to geographical knowledge. In recognition of these services he received the well-merited honour of knighthood soon after his return home. In the following year he was presented with the Queen's gold medal of the Royal Geographical Society of London, as well as with addresses from the Royal Dublin Society, of which he was made an honorary member, and from the corporations of the cities of Dublin and London; honorary degrees were also conferred on him by the Universities of Oxford, Cambridge, and Dublin. In 1860 he was appointed to command the "Bulldog," to take soundings of the Atlantic Ocean between the Faroe Isles, Greenland, and Labrador. In May 1861 he was appointed to command H.M.S. "Doris," serving on the coast of Syria. In the autumn of 1864 Sir Leopold commanded the screw-frigate "Aurora," which escorted their Royal Highnesses the Prince and Princess of Wales to Copenhagen, on the occasion of their visit to Denmark and Sweden. He was made a Rear-Admiral of the Fleet in October 1871.

## THE RIGHT HONOURABLE EDWARD SULLIVAN.

BORN A.D. 1822

THE Right Hon. Edward Sullivan, eldest son of Edward Sullivan, Esq. of Raglan Road, Dublin, formerly of Mallow, in the county of Cork, was born at Mallow in 1822. He married in 1850 Bessie Josephine, daughter of the late Robert Bailey, Esq. of Cork. He received his early education at Middleton School, county Cork, from which he entered Trinity College, Dublin, where, having obtained first place at entrance, and double first honours in science and classics several times, he graduated B.A. in 1844. He is an ex-scholar of the university, and was auditor of the College Historical Society in 1845. He was called to the bar in Ireland in 1848, and joined the Munster Circuit. He was promoted to the rank of Queen's Counsel in 1858; appointed third Sergeant-at-law in 1860. He filled the post of law adviser to the Castle in 1861; of Solicitor-General for Ireland from 1865 to March 1866. In December 1868 he became Attorney-General, on Mr Lawson's elevation to the bench, and was added to the Privy Council in the January following. On the death of the Right Hon. John Edward Walsh, Mr Sullivan became Master of the Rolls in January 1870. He represented Mallow in Parliament from July 1865 until he was raised to the bench.

In his distinguished university career Mr Sullivan gave full promise of future eminence. Having obtained the first place at one of the great entrance-examinations of the year in which he matriculated, he followed up his first triumph by a brilliant undergraduate course, carrying off first honours in science and classics at every term-examination. In his

third year he obtained a high classical scholarship on distinguished answering, and graduated as a respondent in 1844. In the College Historical Society his eloquence and rare debating powers won for him such a high position that he was unanimously selected to fill the honourable post of auditor, and delivered the opening address in the first session of the Society in 1845. Having completed his legal studies in London with a success that augured well for his after career, he was admitted to the Irish bar in Michaelmas term 1848, and soon after joined the Munster Circuit. Having come to the profession thoroughly proficient in the difficult and abstruse system of pleading which then prevailed, and well versed in the common law and the practice of the superior courts, he turned his first opportunities to such good account that, in a very few years, business flowed in rapidly, and he took the foremost place amongst the juniors of the Irish bar. Few men possessed in a higher degree all the essential qualities for a successful lawyer. With sound legal learning he united all the necessary elements for success,—unflagging industry, immense powers of application and endurance of hard work, indomitable energy, and determination. Such a rare and happy combination of valuable qualities could not fail to secure for their possessor an unusually rapid advancement; and accordingly we find Mr Sullivan, within ten years from his call to the bar, so overwhelmed with junior business in the Courts of Law and Equity that he gladly accepted the proffered honour of a silk gown, and thenceforth devoted himself almost exclusively to practice at the Chancery bar, refusing to appear in the Common Law Courts except under a special fee. In the Equity Courts—the Rolls, the Courts of Chancery, and Chancery Appeal—he was engaged in every case, both great and small; while in every important case, involving large interests, in the Common Law Courts and the Court of Probate, he was specially retained as counsel. In 1860 he was appointed third Sergeant-at-law, on the promotion of Sergeant Fitzgibbon to a Mastership in Chancery. In virtue of his precedence as sergeant, he led Mr Whiteside in the great case of *Thelwall v. Yelverton*. His opening statement of the plaintiff's case was a masterly effort of skill and eloquence. The cross-examination of the defendant, Major Yelverton, also devolved on the learned sergeant, and he fully maintained his reputation as one of the ablest cross-examiners at the Irish bar, in a long and desperate encounter with one of the cleverest and most imperturbable witnesses that ever appeared in a witness-box. With this passing allusion to the Yelverton case all attempts to particularise any other of the many great cases in which Sergeant Sullivan was engaged must be abandoned in despair. Suffice it to say that, from the time of his call to the inner bar till his elevation to the bench, he figured conspicuously in every great case that came before the Irish courts. In England, too, he was most favourably known, having appeared, on more occasions than one, before the House of Lords in cases of appeal from the Irish courts, when he acquitted himself worthily of his reputation at home, and received from that high tribunal a marked acknowledgment of his ability and attainments as a lawyer. As a case-lawyer his reputation stood deservedly high, and his opinions have been more than once sustained against the opinions of the most eminent lawyers of the English and Irish bar.

We now pass on to a brief consideration of his Parliamentary career. In 1865 he became Solicitor-General for Ireland, and Member of Parliament for his native town. In 1868 he was re-elected for Mallow on accepting the office of Attorney-General, to which he was promoted on Mr Lawson's elevation to the bench. During his tenure of those offices he proved himself at all times a most efficient officer of the Crown, and commanded the entire confidence of his political chief, and the marked respect of the House of Commons. As a ready and effective debater, and a clear, vigorous, and eloquent speaker, he, too, proved himself a notable exception to the general rule, that great lawyers are great failures in Parliament. Always well informed, accurate, and impressive, he was listened to attentively whenever he was called upon to address the House. He was frequently put up against Mr Whiteside and other formidable opponents, and never failed to render good service to his party. In conjunction with Mr Lawson, his name has been associated with many important Irish measures. Reference has been already made to the Bill framed and introduced by Mr Sullivan and his colleague to alter the constitution and amend the practice and procedure of the Court of Chancery in Ireland. By an unlucky mistake it was thrown out, and the country lost the valuable services of Mr Lawson as Vice-Chancellor of Ireland. Before the Bill could be again presented to the House there was a change of Government, and Mr Chatterton, Attorney-General for Ireland under Mr Disraeli's administration, succeeded in passing a Bill exactly similar in its provisions in 1867, and became Vice-Chancellor of Ireland in the August of that year. On the return of Mr Gladstone to power in 1868, Mr Sullivan resumed office as Solicitor-General, and rendered valuable assistance to the Premier in framing the Irish Church Bill, and carrying it through the House. In the several great debates on this Bill Mr Sullivan proved a perfect *deus ex machina* to Mr Gladstone. Thoroughly master of its details, the Irish Solicitor-General seemed quite at his ease when dealing with the difficult questions and complicated interests involved in one of the most daring and desperate measures that had been brought before Parliament in modern times. In this arduous and delicate work he had the advantage of Mr Lawson's able co-operation for a short time. In the following year, in his capacity of Attorney-General, the Irish Land Bill was introduced, and passed rapidly into law under his direction. The framing of this measure was attributed to Mr Sullivan; and it may be truly said that a more delicate or invidious task was never imposed on an Irish law officer, not even excepting the Church Disestablishment Bill. Between the fear of doing injustice to the landlords on the one hand, and the fear of not satisfying the tenants on the other, it seemed almost hopeless to attempt legislation. A man less bold and determined than Mr Sullivan would have shrunk from the effort in despair. But an Irish Land Act there should be at any cost; it was the second great measure in Mr Gladstone's programme for the pacification of Ireland, and Mr Sullivan was about the best man that could be selected to lead the forlorn hope. Though a consistent Liberal in politics, it is but justice to him to say that he had wholly escaped the taint of revolutionary doctrines, and had no sympathy whatever with the socialistic tendencies which at that period



extensively prevailed in Ireland. No one, we believe, more thoroughly disapproved of Mr Bright's mischievous Dublin harangue, which excited the wildest and most extravagant expectations amongst the Irish occupiers of land, and more than anything else rendered the attempt to satisfy them with any measure stopping short of wholesale confiscation utterly hopeless. But the attempt was made, and with what result every one knows. The landlords denounced the Act as a grievous injustice to them, and regarded it as nothing less than legalised confiscation, and in such terms it was likewise denounced by no less a personage than the Irish Lord-Justice of Appeal. The tenant class were still more dissatisfied with its provisions in their favour, as being defective and illusory; and during the past year a continual agitation for new legislation has been going on in the farmers' clubs throughout the country, and in land conferences held at Cork, Limerick, and all the principal towns in Ireland. So, too, at the recent elections "a new Land Law" stands side by side with "Home-Rule" in the addresses and speeches of the aspirants for Parliamentary honours, and is one of the pledges insisted upon by a large number of the constituencies. It is, however, abundantly clear to every impartial observer that the Landlord and Tenant Act of 1870 went sufficiently far in favour of the tenant class, and that even in spite of the *ignis fatuus* held out before their eyes in Mr Bright's mischievous harangue, they would have been generally satisfied with its provision but for the popular conviction, founded on his own admission, that the scare of Fenianism had extorted Mr Gladstone's "message of peace to Ireland," and reduced the Premier and his followers to such an abject state of submission, that further concessions, however extravagant and unjust, would be made to conciliate the rebellious, and "exorcise the demon of disaffection."

Under all these circumstances, it is not fair to throw altogether on the Irish Attorney-General of the day the odium connected with the Land Act of 1870. The flaw discovered in the case of the Waterford estates, and so promptly remedied by Lord Cairns, could not have been easily foreseen even by so astute a lawyer as the author of that most difficult piece of legislation. To other measures of legal reform introduced or promoted by Mr Sullivan in Parliament our limits will not permit us to refer. Of his whole Parliamentary career it may be truly said, that few Irishmen have been as fortunate as he in securing the high opinion of all parties in the House of Commons. By Mr Gladstone he was held in the highest estimation, as well for his great personal merits as for the invaluable services he rendered him during a most critical period in the history of the country.

In 1865-66 Mr Sullivan, as Solicitor-General, took a prominent part in the prosecution of the Fenian prisoners tried for treason-felony.

Mr Sullivan was highly and deservedly popular with his brethren of the Irish Bar. The juniors always found in him a true and valuable friend. He took a deep interest in their early struggles, and helped and encouraged them in the prosecution of their studies. He was president of the Law Debating Society, and annually gave handsome prizes for the best essays and dissertations on subjects of deep legal interest.

Towards the close of his career at the bar his business engagements in Dublin were so absorbing, that he was obliged to give up going on

Circuit. His absence was universally regretted by the Munster Bar, who felt they had lost one of their ablest and most estimable members.

## LORD CARLINGFORD.

BORN A.D. 1823.

THE Right Hon. Chichester Samuel Fortescue, Baron Carlingford in the Peerage of the United Kingdom, is the youngest son of the late Lieut.-Col. Chichester Fortescue, M.P., of Dromiskin, in the county of Louth, by the daughter of Samuel Hobson, Esq., of the city of Waterford, and brother and heir presumptive of Lord Clermont. He was born in 1823, and educated at Christ Church, Oxford, where he graduated B.A. in 1844, taking first-class honours in classics, and obtained the Chancellor's prize for the English essay in 1846. He married in 1863 Frances, Dowager Countess Waldegrave, daughter of John Braham, the celebrated vocalist. Miss Braham married, 1st, John James Waldegrave, Esq. of Navestock, Essex; 2d, in 1840, the seventh Earl Waldegrave, who died in 1846; 3d, in 1847, George Granville Vernon-Harcourt, Esq., who died in 1861; 4th, in 1863, the Right Hon. Chichester Samuel Fortescue. Mr Fortescue was a Lord of the Treasury from January 1854 to April 1855; Under-Secretary of State for the Colonies, under Lord Palmerston's Administration, from June 1857 to March 1858, and again from June 1859 to November 1865; he was Chief Secretary for Ireland from the last date to June 1866, when he retired with the Russell Administration. He was sworn a Privy Councillor in 1864, and again became Chief Secretary for Ireland, and a member of the Cabinet in Mr Gladstone's Government in December 1868. He was appointed President of the Board of Trade in January 1871. He is Lord-Lieutenant of Essex; and represented the county of Louth in Parliament from 1847 till the general election of 1874, when he was defeated by a "Home Rule" candidate. On Mr Gladstone retiring from office, Mr Fortescue was raised to the Peerage, with the title of Lord Carlingford.

While Chief Secretary for Ireland, Mr Fortescue was credited with great administrative ability, even by his most bitter political opponents. His social arrangements gave the greatest satisfaction to the pleasure-seeking residents of the Irish metropolis. Under the skilful direction of his accomplished Countess, the Chief Secretary's entertainments presented a favourable contrast to the hum-drum stale performances at Dublin Castle and the Viceregal Lodge. In Parliament he rendered good service at all times to the Liberal party, and gave invaluable help to Mr Gladstone in shaping and carrying his great Irish measures. It was, accordingly, no surprise to the public to see Mr Fortescue's name foremost in the new batch of Peers, and no exception has been taken to his elevation, which has been regarded as only a just tribute to his merits as a statesman and a minister.

## BARON DOWSE.

BORN A.D. 1824.

THE Right Hon. Richard Dowse, fourth Baron of the Court of Exchequer in Ireland, is the son of the late William H. Dowse, Esq. of Dungannon, county Tyrone, by Maria, daughter of the late Hugh Donaldson, Esq. of the same place. He was born in June 1824, and received his early education at the Royal School, Dungannon. He graduated as A.B. in 1850 in Trinity College, Dublin, where he was a first classical honour man, and a scholar (1848). In 1852 he was called to the bar in Ireland, and appointed a Queen's Counsel in 1863. He was returned to Parliament in the Liberal interest as member for Londonderry at the general election of November 1868, and in the following year was made third Queen's Serjeant in Ireland. In 1870 he became Solicitor-General, on Mr Barry being promoted to the Attorney-Generalship; and Attorney-General in 1872, on Mr Barry's elevation to the bench. In November 1872 he was created a Baron of the Court of Exchequer, on which occasion he was added to the Privy Council. He represented the city of Londonderry from December 1868 until his elevation to the bench. He married, in 1852, Kate, daughter of the late George Moore, Esq., Analore, Clones.

Mr Dowse was highly distinguished in college, having obtained a classical scholarship and first honours in classics during his undergraduate course. In the debating societies he gave early indications of those rare qualities for which he was so remarkable in after life. Great versatility, inexhaustible natural wit and humour, readiness in reply and repartee, genial banter, combined with effective reasoning powers, and keen observation and knowledge of the manners and motives of men. Having graduated, he applied himself with great assiduity to study for the bar. He joined the North-East Circuit, and in a very short time got into large practice. From the very outset, he proved himself a sound common-law lawyer, with a special aptitude for *Nisi Prius* business. Like most young men who have no interest or connection to back them, but have to rely solely on their own wits and exertions, he was ready for work in all the various fields that are open to an Irish junior, and in every one of which he is expected to show himself perfectly at home.\*

\* An eminent barrister humorously alluded to this subject on one occasion when commenting on a letter in which a junior paraded his business engagements. "Such," said the learned gentleman, "are a few of the multifarious engagements of an Irish junior, reminding one of Juvenal's description of the hungry Greekling :—

"Omnia novit  
Græculus esuriens, in cælum jussus ibit,"

which Johnson, in his *London*, renders

"Bid him go to hell, and straight to hell he goes."

Now if one of you, gentlemen, wanted to find a young barrister friend—that is, if you are lucky enough to know one in that capacity only—you present yourself at the library door, and apply to Mr Black, the crier, for your friend Mr Brown Jones. 'Mr Brown Jones' shouts Mr Black with the voice of a stentor.



Although Mr Dowse had a very high reputation as a skilful pleader and a sound lawyer in every sense of the phrase, it was principally as a *Nisi Prius* advocate that he won his proudest triumphs. As a cross-examiner, he took his place beside the ablest at the bar. Great common sense and knowledge of human nature, coupled with consummate tact, were the leading characteristics observable in him, next to his extraordinary wit and humour. Although, as in the case of Mr Whiteside, crowds flocked to hear him on every occasion in the Dublin Courts, as afterwards in the House of Commons, his wit was of an order essentially different from that of Mr Whiteside. The latter borrowed much help from variations of voice, expression of countenance, and gesture. Mr Dowse's wit was in the thing said, and the words in which it was said, rather than in the manner of the speaker. The drollest ideas imaginable came to him, as he went along, without any apparent effort on his part; they were never fantastic or far-fetched, and the language in which they were expressed was easy and natural. When a case was to be laughed out of Court Mr Dowse was retained at once, and no one made greater havoc of sentimental grievances. In breach of promise cases he was almost invariably found on the side of the "base deceiver." But he never seemed to have any qualms of conscience on that score, or to believe much in "injured innocence." He was the terror of rogues and humbugs, no matter in what guise or form they appeared. It is not, however, to be supposed that the faculty of wit was possessed by him to the exclusion or prejudice of other important faculties. In matters requiring serious treatment his skill and ability were almost equally remarkable. He could rise, too, on occasions to the highest eloquence; and the weapons of strong, severe invective and scathing sarcasm were wielded by him as readily and effectively as the lighter weapons of ridicule and raillery. Such, indeed, was his versatility, that the description he once gave of Mr Whiteside would seem to be quite as applicable to himself. "Only last week," said Mr Dowse,

But Brown Jones will not listen to the voice of the charmer, and does not come and appear. Mr Black consults his list, and in a serio-comic tone reads off the results of his scrutiny—"Mr Brown Jones—Chancery, Rolls, Master Fitzgibbon, Judge Dobbs, and the Admiralty." You leave in despair of finding your distracted young friend. Don't suppose, however, that the Legal 'Black List' always tells lies. The multitudinous demands on an Irish lawyer are at times almost incredible. How he manages to satisfy all—if he ever does so—is a mystery. Sir Boyle Roche, or some other great man, tells us 'a man cannot be in two places at once, barring he is a bird.' It is clear that the ubiquitous being, an Irish lawyer, was never dreamt of in the philosophy of this great authority. After arguing in the Court of Chancery some abstruse question of real property law, with a long face and all the gravity of an old Equity mummy, he runs off with a big bag on his back to address a jury in the 'Consolidated Nisi,' thence to the Rolls and all the ramifications of the Court of Chancery—Master Murphy, Master Litton, Master Brooke, and Master Fitzgibbon. He next tortures a fraudulent debtor in the Bankruptcy and Insolvency Courts. He now ascends to the pure atmosphere of the 'Landed Estates,' that great manufactory of brand-new titles, where one sometimes gets an indefeasible title to a slice of another man's land which he never bought—never will pay for—never restore. Taking the Probate Court in his way, he next hastens to the Courts of Common Law, to enlighten the judges in *banc* assembled; and winds up by boxing the compass before the Honourable Judge Kelly in Her Majesty's High Court of Admiralty."

"Mr Whiteside was thundering in St Stephen's, and to-day he is electrifying a jury in a paltry case in the Irish Common Pleas. So versatile the talents, so comprehensive the genius of the right honourable gentleman, that he reminds one of the elephant, which is said to be equally capable of weighing an anchor and picking up a pin."

In the general election of 1868 Mr Dowse was returned for Londonderry after a sharp contest, and on taking office under the Crown he was re-elected, though again vigorously opposed. Mr Barry, the Attorney-General, having failed to obtain a seat in Parliament, Mr Dowse, as Solicitor-General, took a prominent part in all the debates during the session 1870 and 1871, and rendered valuable services to the Government in the defence of their legislative measures affecting Ireland. When Attorney-General in 1872, he served his party with equal efficiency, and was rewarded with a judgeship, on the death of Mr Baron Hughes in the November of that year. As a ready and effective debater, he established himself from the very outset in the good opinion of the House of Commons; and since Mr Whiteside's time, no one so enlivened the debates by extraordinary displays of wit and humour.

#### EARL OF DUFFERIN, VISCOUNT CLANDEBOYE.

BORN A.D. 1826.

SIR FREDERICK TEMPLE HAMILTON-BLACKWOOD, K.P., K.C.B., only son of the third Baron, by Helen Selina, eldest daughter of the late Thomas Sheridan, Esq. (afterwards Dowager Countess Gifford), was born in June 1826. He married, on the 23rd of October 1862, Harriot Georgina, the eldest daughter of the late Captain Archibald Rowan Hamilton, Esq. of Killyleagh Castle, county Down, and assumed the name of Hamilton by royal licence (1862). He succeeded his father in the English barony and Irish honours on the 21st of July 1841. He was educated at Eton and Christ Church, Oxford; was a Lord-in-Waiting to the Queen from 1849 to 1852, and from 1854 to 1858. He was attached to Earl Russell's special mission to Vienna in February 1855. He was sent by Lord Palmerston as British Commissioner to Syria in relation to the massacre of Christians in 1860, and was created a K.C.B. in recognition of his services in this capacity in 1861; and appointed Lord-Lieutenant of the county of Down in 1864. He was Under-Secretary of State for India from November 1864 to February 1866; and Under-Secretary for War from February 1866 till the June following. He was Chancellor of the Duchy of Lancaster and Paymaster-General from December 1868 to April 1872, when he became Governor-General of the Dominion of Canada. He is the author of *Narrative of a Journey from Oxford to Skibbereen during the Year of the Irish Famine* (1847-8); *Letters from High Latitudes*; *Irish Emigration and the Tenure of Land in Ireland*; *Mr Mill's Plan for the Pacification of Ireland Examined*; *Inquiry into the State of Ireland*, &c. This peerage (with the exception of the earldom and viscounty of the United Kingdom) was conferred on the first Baron's mother, with

remainder to her issue, by Sir John Blackwood, Bart. His Lordship was sworn of the Privy Council in December 1868.

## THE HONOURABLE DAVID ROBERT PLUNKET, M.P.

BORN A.D. 1839.

MR PLUNKET is the third son of the Honourable John Plunket, who, on the death of his brother, the Bishop of Tuam, succeeded to the title of Lord Plunket, and Charlotte, third daughter of Chief-Justice Bushe. He was born at 30 Upper Fitzwilliam Street, Dublin, and educated at Dr Flynn's academy in Harcourt Street, from which he entered Trinity College, and in his university course took honours in classics, logic, and English literature. He obtained his degree as a moderator in English literature, but his greatest successes were won in the Historical Society, in the transient career of which he made a greater fame than any member since the revival of the society under the auditorship of Dr Magee, Bishop of Peterborough. Many a great debate in the Dining Hall of Trinity College has left no record in Hansard, but was elevated into importance by the speeches of "the grandson of two of Ireland's greatest orators—Bushe and Plunket"—a title to fame which was always duly alluded to in the compliments of the chairman for the evening. In those days we cannot exactly say whether Mr Plunket's politics were Liberal or Conservative, but our impression is, that they were Liberal as regards the past, Conservative as to the present and future. In 1859 he was elected Auditor of the Historical Society, a post similar to that of Speaker of the House of Commons, but more apt in the nature of the duties implied to the functions of the latter than of the former, as the auditor is expected to be a frequent speaker, and to be always ready to enter the field whenever the debate flags. Mr Plunket's early oratory was distinguished by great force, and in the best passages, simplicity of language; great earnestness and a quality of indomitableness hard to define, which insisted upon victory, and pleaded for it with a determination which it was difficult for an audience to resist or an opponent to counteract; a grasp of the subject from which he worked out his own view, sometimes with labour but always with success, striving if anything too much to elucidate; a power of the most genuine humour, which was easy and unaffected, and drew every one along in its strong and broad stream;—these were some of the attributes of Mr Plunket's college eloquence. But he possessed also the highest personal gifts for an orator, of eye, action, and elocution; his voice was agreeable and pervading, and most suppressed in passages where earnestness and passion grew intense, sinking into a whisper with strong feeling, but always distinctly audible. His action was weighty and powerful, like his grandfather's, and born in him, not copied. We transcribe from memory so far as relates to his speeches in the Historical Society, which resembles, and is affiliated to, the Oxford and Cambridge Unions. Practice has no doubt enhanced the powers which Mr Plunket possessed in college days. He has since been complimented by England's greatest Liberal orator and statesman in the House of



Commons; his name in Ireland is that of the most popular Irishman; as a speaker at public meetings he is *facile princeps*. His merits as a speaker can scarcely as yet be said to be appreciated at their worth out of his own country, but there he has singular honour. No man was more loved by his college companions, whether they shared his intellectual or his muscular pursuits, for he was terrible as a swift round-arm bowler, to whom it was necessary to put on two long-stops, and irresistible whenever to pitch and pace he added precision. Now, risen up into public life, he is popular with both sides, although, or perhaps we ought to say, because, he is most honourably attached to his own. The pride that Irishmen take in the second of the name of Plunket who has reflected honour upon his country, was shown in a way which perhaps surprised English political circles on the formation of Mr Disraeli's Ministry. We are, however, anticipating the brief account which we must give of his intermediate career.

In 1862 Mr Plunket was called to the bar, and soon obtained a fair amount of business. His speeches upon several occasions won the highest encomiums from the bench; but Mr Plunket being possessed of more brilliant qualifications, never paid much attention to law, and he did not therefore derive that satisfaction from the practice of his profession which would have arisen from the union of his own eloquence with the erudition of men in other respects infinitely his inferiors. He did not find himself as thoroughly master of the position as either of his grandfathers, in whom that union was so complete; nevertheless he succeeded in fulfilling the duties of a law lectureship, to which he was appointed by the Benchers of King's Inns, with credit; and when a Conservative Government came into power in 1866, he was appointed Law Adviser to the Castle. But from boyhood up he had looked forward to a purely political career as the real object of his ambition, and this, perhaps, was a latent cause of his comparative neglect of law. He had never looked with the pleasure of most young lawyers on the quiet haven of Irish judges and chancellors, where, after one or two short voyages to St Stephen's, they lie moored together, the lightships and hulks of the law. As there is, or was, a place for one of every three Irish lawyers, Mr Plunket might have looked forward to an early subsidence into this blissful stagnation. He had only been six years at the bar when he received a silk gown, being, with the exception of Mr Butt, the youngest Queen's Counsel on record; but to such a man the desire of being anything ill was not only distasteful, but incompatible with honour and ambition, and Mr Plunket, in turning away from the prizes of his profession, also gave up its practice. This was not, however, for a considerable time after his election as member for the University of Dublin—a constituency which he had long desired to represent, as it had returned his grandfather to Parliament for a period of twenty years. He was elected at a time when the interests of the University were in great peril,—the Church had fallen, and the same stern enemy pressed on to storm her citadel in the University. Mr Plunket was chosen as the youthful champion of his Alma Mater, and most successfully and eloquently did he fulfil the trust. We must own to the opinion that it was greatly due to Mr Plunket's speeches, writings, and indomitable force of will

that the attack was averted and at last completely defeated. Some change in the position of the Irish University was necessitated by the disestablishment of the Irish Church, and the Board instructed Mr Plunket to support Professor Fawcett's bill for throwing open Trinity College to all comers without distinction of creed. This was, of course, only to trim and confirm with a Parliamentary sanction what Mr Gladstone had promised to cut down. It was a task which suited well with the strong feeling which the junior member for the university had imbibed in his pleasant college days so recently ended, and especially in the College Historical Society, where religious subjects were strictly prohibited, of the value of unsectarian education in such a country as Ireland. The case of Ireland entirely differed from that of England, because, in the former, religion was the great subject of discord and civil war; and while Mr Plunket would have been the last to take up the principles of a secularist, or to exclude religion where it could be studied in harmony, he naturally thought, where men held such opposite views upon it, and where it was impossible to study theology together, it was better not, for the sake of it alone, to keep Irishmen from childhood up divided into opposite camps.

Some of Mr Plunket's friends in college were of a different religious persuasion; he felt, as it were, a personal hatred to the idea of severing the youth of Ireland by hard and fast religious lines, which would prevent such liberalising friendships from being formed in early life, and perpetuate the unhappy divisions of the country. In advocating this view of the question he gained the sympathy of several liberal members of high intelligence; while, at the same time, he may have puzzled the thick-and-thin advocates of denominationalism on his own side, who could not clearly see the broad line of demarcation between the questions of English and Irish education, and, on the other hand, had a true perception that what might be good for the University of Dublin would be bad, as a precedent, for those of Oxford and Cambridge. Mr Plunket's maiden speech on this question was received with great interest, and was highly successful. He brought up the Prime Minister to reply to him, and called out one of his most eloquent and intellectually athletic performances. Mr Gladstone had the difficulty of seeming to argue, in a Tory sense, against the Tories; while Liberal arguments proceeded from the opposite benches, and were echoed by applause from below the gangway on his own side. In one of his most successful efforts Mr Gladstone complimented the young man, whom he had honoured by thus engaging in single combat, as having proved that he possessed the hereditary qualities of an orator. Mr Plunket made several successful speeches on the same subject, and although prevented by illness from taking part in the last great debate upon the Irish University question, in which the Gladstone Ministry was overthrown for the moment, and by its overthrow fatally injured, it was in no slight degree by his previous speeches and influence that this result was brought about; and it was believed also that one of the most telling Conservative manifestoes on the question was from his vigorous pen, which was employed, not alone upon this occasion, in the service of his party. He had the good fortune to inflict another defeat upon the Gladstone Government, which refused to give ear to



the appeals of the Irish civil servants. Mr Plunket, in spite of the Ministry, carried a motion for an inquiry into their undoubted grievances. On the recall of Mr Disraeli to power with a substantial majority in 1874, it was confidently believed that Mr Plunket would be included in the new Ministry, and the universal feeling in Ireland was that he was, of all men, most fitted to be Chief Secretary for Ireland.

It was well known by his personal friends that, having for some time ceased to practise at the bar, Mr Plunket would not, like some of the omnivorous tribe of political lawyers, accept a legal office. However this may be, it is no secret that he was offered the Solicitor and then Attorney-Generalship, and declined both. Some indignation was expressed in the Conservative press of Ireland, and equal surprise in the leading journals of England, at the omission of his name from the Ministry, and much notice was attracted to his claims, so that Mr Plunket may be said to have benefited by the omission, and to be *spreto honore splendidior*. Nevertheless, it was used as an argument by the Home Rule party that such a man should be passed over, because, as it was said, he was an Irishman. Mr Parnell was started against Colonel Taylor in the county of Dublin, on the strength of the strong reaction which this treatment of their favourite had caused in the Conservatives of that city and county. Nothing, however, could have been in better taste than the way in which Mr Plunket came forward to disclaim all sense of injury, and gave his hearty support to the new Chancellor of the Duchy of Lancaster. By this course Mr Plunket was certain to be no loser in the end, for no Government, however powerful, can afford to have no really strong man behind its back.

The *Times*, as well as the leading Conservative journals in England, have done full justice to Mr Plunket's claims on his party and his motives for declining the offers of the Government, and with one voice have foretold for him a just and speedy reward. Thus, in acting up to his family motto, "*Festina Lente*," he has, we believe, accelerated his advancement to a position more congenial to his tastes, and one in which his rare talents can be made more usefully available for the public service.

Mr Plunket was first returned to Parliament in 1870 for Dublin University, which he still represents, having been re-elected without opposition at the general election in 1874.



## II. ECCLESIASTICAL SERIES.

JONATHAN SWIFT, DEAN OF ST PATRICK'S.

BORN A.D. 1667—DIED A.D. 1745.

THE family of Swift had for some generations been settled in Yorkshire. The family pedigree begins so far back as 1569, in which his ancestor, in the fifth remove, is mentioned to have been "collated to the territory of St Andrew Canterbury." The grandson of this person, Thomas Swift, vicar of Goodrich, left several sons, of whom one, whose name was Jonathan, married Abigail Erick of Leicester, by whom he left a son and daughter. The son, also named Jonathan, was the well-known person of whose life we are to give an account. In a short memoir which he has left of his family history, Swift mentions some very interesting particulars of his grandfather's life. Having lived in the time of Charles I., he experienced his share of the troublesome adventures of that calamitous interval,—having been repeatedly plundered by the Parliamentary soldiers. The house in which he lived remains, or (at least till comparatively recently) remained in the possession of his descendants. A note upon Swift's narrative mentions that there is still shown a secret vault under the kitchen, in which the family concealed their provisions from the plunderers. The anecdotes of his escapes, and of his courage and loyalty, are curious and romantic.

On his death, his son Jonathan came to Ireland, where he is related to have obtained some employments and agencies. But the most authentic fact seems to be his nomination, in 1665, as steward to the Society of King's Inns, Dublin.

In April 1667 he died, leaving one daughter, and his wife was soon after (November 30th) delivered of a son, who is the subject of our history. This event occurred in No. 7 Hoey's Lane, a small house, on which Scott remarks:—"The antiquity of its appearance seems to indicate the truth of this tradition." His mother's condition was not such as to afford more than the most cheap and coarse subsistence, as she is said to have obtained the expenses of her husband's funeral from the bounty of the Society; this account is indeed materially qualified by some statements in Counsellor Duhigg's history of the King's Inns in Dublin, from which it would seem that the Society was considerably in her debt, and not very prompt to pay. There can still be no doubt of the poverty of her condition. She was, however, enabled to commit her infant to the care of a nurse, who seems to have contracted a warm attachment to her charge. This was exhibited in an eccentric and decisive step, which would induce a suspicion that Swift was indebted to her for some principal traits of his disposition. The story is not without interest. It runs that this woman, having been a native

of Whitehaven, was recalled by some relation, perhaps (if this part of the statement has any foundation) by her husband, and not wishing to part with the child, she carried him off clandestinely, and for a considerable time no trace could be obtained of them. We are inclined to think, that one capable of courses at the same time so decisive and inconsiderate, was little likely to have been induced by any duty to leave a good nursing, and that this strange woman had balanced the discomforts of her situation against a natural instinct, and provided for both by one bold act; the reason given is evidently that which afterwards would adopt to excuse an indiscretion, or perhaps to conceal the poor circumstances of Mrs Swift. When the nurse was traced, the family considered the delicacy of the infant, which it was feared might not well bear the risk of a second passage across the Channel, and taking into account the strong attachment of the nurse, it was thought fit to leave him in her care. He continued thus in Whitehaven for three years, during which his health improved, and his mind was not neglected; when he was brought back to Dublin he could spell. At five years of age he could read any chapter of the Bible.

The circumstances of his mother were, as we have stated, in a state approaching destitution, and she was compelled to look to her husband's family for the means of rearing and educating her two children. Of the brothers of her husband, William Swift showed active kindness and sympathy; but Godwin Swift, whose means are supposed to have been more affluent, contributed chiefly to their maintenance.

Godwin Swift was the elder brother of Swift's father; he had studied the law, and having been called to the bar, was by the Duke of Ormonde appointed attorney-general to the palatine of Tipperary. His success had induced the removal to Ireland of three of his brothers, William, Adam, and Swift's father. Godwin acquired considerable wealth, and might have laid a respectable foundation for the fortunes of his house, had he not given way to a speculating disposition, and sunk his resources upon projects which ended in nothing but loss. To this Scott attributes Swift's great dislike to projects of every kind; adverting very probably to the part he took in relation to Wood's project. The actual embarrassments of Godwin Swift are indeed important here, as tending to explain the narrowness of his contributions to the family of his brother's widow. His nephew, who appears not to have been till a later period of his life fully aware of the circumstances, is known to have always entertained angry recollections of the supposed parsimony of his uncle; and though he became afterwards acquainted with the truth that necessity alone had stinted the kindness of this relative, the impression never lost hold of his tenacious mind. The native and deep-seated pride, which occupied so large a place in his temper, began at an early period of his youth to feel and be embittered by the painful sense of dependence; and it is indeed hard to conceive a position more galling than that dependence, which at the same time that it lowers and oppresses a proud temper, is inadequate to the purposes for the sake of which it is borne. It is not difficult to conceive that Mr Godwin Swift may have from time to time compensated for the deficiencies of his liberality by advice which was not approved, or by some assumption of authority not acquiesced in. In circumstances

of dependence there are few things more offensive than such counsel as seems to carry with it the stamp of neglect or slight, while it is enforced by a claim of authority. And it is not unlikely that Mr Godwin Swift, who does not seem to have had any superfluity of wisdom in the management of his own concerns, may have shown this ordinary propensity by interfering vexatiously upon the education, breeding, or destination of his sensitive or irritable nephew. In after years, when Swift was Dean of St Patrick's, he is said to have been accosted at a visitation dinner by Dr Whittingham with the question, "Pray, Mr Dean, was it not your uncle Godwin who educated you?" When the question had been reiterated with great rudeness of manner, the Dean answered abruptly, "Yes, he gave me the education of a dog."\* Yet, after all, to judge from the prominent facts, his uncle acted at least efficiently; at six he was sent to Kilkenny School, and as Mr Godwin Swift was upon terms of friendship with the Duke of Ormonde, who had been his patron, and was the patron of this eminent school, it is to be conjectured that it was by this connection that a provision so important was obtained. At the Kilkenny School, we are told by Scott, his name cut upon the form is yet shown. He remained there until his fourteenth year, and then entered as a pensioner under Mr St George Ashe, in the University of Dublin. His name was entered on the books of the senior lecturer, 24th April 1682. At the same time his cousin, Thomas Swift, son of an uncle of the same name, also entered; and this coincidence has embarrassed the researches of learned antiquarians, who have found no small difficulties in the archives of the buttery and other collegiate accòmpts and documents, in their endeavours to allocate correctly the several honours of the cousins, and to trace the incidents of their academical career. Of these discussions, the ample scope of Sir Walter's volume, with the help of a full and valuable appendix, offers an ample abundance. We are here reluctantly compelled to make a brief selection.

It is generally admitted by Swift's biographers, and stated also by himself, that he did not apply himself to the studies prosecuted in the university; yet it is also as satisfactorily known, that at an early age he had made a remarkable proficiency in many of the most useful branches of general literature. His neglect of his studies has been by himself attributed to the depression caused by ill-treatment from his friends, and by poverty. Sir Walter Scott gives the following explanation?—"When Swift was entered at the university, the usual studies of the period were required of him; and of these some were very ill suited to his genius. Logic, then deemed a principal object of learning, was in vain presented to his notice; for his disposition altogether rejected the learned sophistries of Smiglecius, Kneckermannus, Burgersdicius, and other ponderous worthies, now hardly known by name; nor could his tutor ever persuade him to read three pages in one of them, though some acquaintance with the commentators of Aristotle was absolutely necessary at passing examination for his degrees. Neither did he pay regular attention to other studies more congenial to

\* Scott gives the anecdote of which the above is a part, upon the authority of Theophilus Swift.



his disposition. He read and studied rather for amusement, and to divert melancholy reflections, than with the zeal of acquiring knowledge. But his reading, however desultory, must have been varied and extensive, since he is said to have already drawn a rough sketch of the *Tale of a Tub*, which he communicated to his companion, Mr Waryng. We must conclude, then, that a mere idler of the 17th century might acquire, in his hours of careless and irregular reading, a degree of knowledge which would startle a severe student of the present age." In point of fact, Swift was not a *mere* idler: negligent of the studies which presented themselves in the shape of duties, and at best could place him on a level with youths whose understandings he scorned, he perused with keen, and even ambitious assiduity, volumes more adapted to his own peculiar tastes, and more generally appreciated by the vulgar. His keen sagacity early saw its proper sphere, and looked with longing up the broad and crowded highway of worldly advancement. He knew that little wit could be exercised on the properties of lines and numbers, and that the "solar walk, or milky way," was not the way to preferment or popularity. Though a student in the university, his eye looked abroad with youthful desire upon the pleasures, whims, and humours, the collisions, intrigues, and busy play of the world; and so he eagerly fed his tastes, his hopes, and aspirations, with the elements of his chosen pursuits. Indeed, an acquaintance with the youth of all universities would sufficiently illustrate and confirm these remarks—that is, to a certain extent, for in our own times, a change has come over the public tastes—great discoveries, and a splendid combination of the scientific genius and tastes of Europe, have enlarged, exalted, and illumed the sphere of science; and ambition itself may be won to seek honour and advantage in studies no longer circumscribed within the narrow range of "deducibles," which were accumulated like conundrums, and led to nothing.

Among the habits, at this time acquired by Swift, may be numbered that remarkable closeness in matters of expense which will be observed showing itself through every period of his after years. The bitterness of his temper was now roused, and kept in continual play by the lowliness of his finances. The death of his elder uncle, Godwin, appeared to cast a momentary prospect of total destitution; but another uncle, not richer, but more gracious in temper, and of more attractive manners, stepped into the gap,—this was Dryden William Swift, whose kind, but still scanty contributions were gratefully acknowledged by Swift through life. He was also very much assisted in the same interval by one of his cousins, who was settled as a Lisbon merchant. The incident, related on his own authority, is curious enough. "Sitting one day in his chamber, absolutely penniless, he saw a seaman in the court below, who seemed inquiring for the apartment of one of the students. It occurred to Swift that this man might bring a message from his cousin Willoughby, then settled as a Lisbon merchant, and the thought scarcely had crossed his mind when the door opened, and the stranger approaching him, produced a large leathern purse of silver coin, and poured the contents before him as a present from his cousin. Swift, in his ecstasy, offered the bearer a part of his treasure, which the honest sailor generously declined; and from that moment Swift, who had so

deeply experienced the miseries of indigence, resolved so to manage his scanty income, as never again to be reduced to extremity."

In conformity with this prudent temper, it might be inferred that, notwithstanding his real dislike for the course of studies then pursued in the university, and his affected defiance of its authorities, there appears evidence enough upon the college books that he had still "wit in his anger," and took due care to keep within the letter of the law. But many of these entries on the university books, which have been traced by the research of Dr Barrett, are such as rather to manifest the truth of the statement, that he was even unusually endowed with a perverse and refractory dislike to authorities; for his liabilities in that respect were far greater than was consistent with a prudent and saving temper. These records are important here, so far as they serve to rectify the mis-statements of some of his contemporaries. It has been believed, on the authority of Mr Richardson, that he had been expelled from the university, and, that having obtained a "discessit," he got his his degree at Oxford. The occasion of this severity is thus mentioned by Mr Richardson—"Dr Swift made as great a progress in his learning at the University of Dublin, in his youth, as any of his contemporaries, but was so very ill-natured and troublesome, that he was made *terræ filius*, on purpose to have a pretence to expel him." This singular absurdity, equally unjust to both parties supposed to be concerned, is clearly refuted by the facts: Swift was not expelled, was not *terræ filius*, and obtained his degree from Dublin university. It is only here necessary to refer to the proofs which can be found in Dr Barrett's Essay, in the most satisfactory form of extracts from the college books.

From these authentic documents it has been ascertained, that *after* he had commenced A. B., he was *admonished* for notorious neglect of duties, and for frequenting the town; and that he was almost continually under some punishment. We also learn that he was prominent in a small knot of the most dissolute and turbulent youths in the university, among whom he is thus enumerated in one of these records: "*Constat vero Dom. Webb, Dom. Sergeant, Dom. Swift, Maynard, Spencer et Fisher, huic legi contravenisse, tam seditiones sive dissensiones domesticas excitando, quam juniorem decanem, ejusque monita contemnendo, eundemque minacibus verbis, contemptus et contumaciæ plenis lacessendo, unde gravissimis pœnis committi sunt,*" &c. For these causes the sentence follows, of a suspension of the culprits from every degree; it then proceeds to pronounce, that as Swift and Sergeant had been more insufferable than the others, they were condemned to ask pardon on their knees of the junior dean. This humiliation, amply merited as it was, left a lasting impression on the proud heart of Swift, who from that moment regarded the university with all the bitterness of his implacable spirit. This was, nevertheless, the utmost extent of his punishment. The public pardon effaced the breach of discipline, and the certificate of his degree, yet extant, plainly contradicts the erroneous statement of Mr Richardson on this head. The point of most difficulty has been seized on by a correspondent of Scott's, from whom he gives an extract, in which it is stated that Swift obtained his degree a year before the usual time. and infers,



that this must have been by *special favour*. The inference might be allowed to have some weight; but the fact is so entirely inconsistent with the institutions and precise discipline of the university, and so irreconcilable with all that is known of Swift's academical character, that it cannot be admitted without the most authentic proof. On looking at the document given by Scott in his appendix, the cause of the mistake appears. Swift's entrance is stated to have been in April 1682; the college certificate fixes his degree in February 1685; and the interval would thus be less than three years. But any one who is accustomed to the method of dating then in use, must be aware that the *first months* of 1686 would have been reckoned into what is now considered as the previous year. This fact reduces the difficulty to one of small weight, as we have only to assume that Swift was allowed to go on with the class of 1682, the year in which he entered, and this we believe to be an occasional practice conformable with the rules of the university: the sizar, who enters at a more advanced period of the year, is expected to fulfil this condition, and it may be optional with the other classes of students. That this degree had been obtained, *speciali gratia*, is stated on the authority of Swift himself, and accompanied by explanations, which leave no doubt as to the nature of the distinction: the ambiguity of the term has occasioned some laughable anecdotes, perhaps invented by the dean himself; certain it is, that he mentions himself as having obtained his degree in this disreputable manner, more near to special charity than to special favour, and signifying a grace vouchsafed for no merit. The circumstance of this fact, not appearing on the testimonium, has been thought to throw some doubt upon the statement, but in fact such a disqualifying testimony as would make the certificate unavailing for any use but to attain the reputation of the bearer, is not in any case stated.

The story of the *Tripes* is equally discredited, as Dr Barrett proves it to have been actually delivered by a Mr Jones, three years after Swift's graduation; but at the same time concludes, that it was the composition of Swift. His reasons for this supposition are the characteristic vein of humour and severity which run through this composition; the direction of some of the personalities against those whom Swift disliked, and the intimacy which subsisted between Jones and him. But granting that the inference might be correct, these premises are rather overstated; neither the wit nor the malice is sufficient, or so directed as to bear out its force; the humour is nothing beyond that of the most ordinary pleasantry or ridicule, or than the merest effort to to be pointed, and such as the excitement of dog-Latin and burlesque would suggest to one not absolutely dull. At the same time we think that the actual inferiority of the composition cannot absolutely be regarded as having conclusive weight in the opposite scale. Every voluminous writer affords specimens enough of the inequalities of genius; and though it may be risking something to say it, we can find effusions of Swift's not more bright than the *Tripes*; of which it is however to be allowed that its indecorum and scurrility offer more legitimate signs of the ascribed paternity than its wit. It is, indeed, not unlikely, that the person who was selected for the office of buffoon to the pageant must have had some pretension to the necessary qualifi-



cations. Swift's companion was not likely to be wanting in either humour or ribaldry ; but indeed the intimacy is not satisfactorily ascertained, and the MS. is said to exhibit no marks of Swift's writing.

From the protracted residence of Swift, the same correspondent infers that he must have obtained the scholarship. We see no reason to admit the inference. The university was the most economical residence for a poor young man, who at the time had no other home, and most convenient for both the purposes of study and companionship. His mother had for some time returned to Leicestershire, and the town was then comparatively incommodious, unquiet, and ill-appointed in its streets, houses, and civil order. It is not many years since we were acquainted with men of considerable standing within the walls of the university, where there is no law to prevent a graduate from residing while his name is on the books. The notion that Swift could *refuse* to submit to the sentence of the board, is inconsistent with the strictness of collegiate discipline ; he may have been *let off*, yet we cannot see any ground for the supposition. We have, indeed, given too much space to questions of such trivial importance ; but must add, that even this is negatived by the vindictive animosity with which he afterwards assails Dr Owen Lloyd, who was the junior dean, to whom he was compelled to apologise. Such a supposition would, therefore, reflect as little credit on Swift as on the board. After all, it would be easy enough to reconcile the whole of this relation with the affirmation that he had obtained the scholarship, were it not for the decisive consideration that this cannot have been, without some distinct record of the fact.

We must now, ere turning to another distinct train of incidents, endeavour to sum the inferences, and trace their general relation to the after years of his life. To assume lofty patriotism, unswerving integrity, elevated virtue and generosity, as the features of the picture, on the evidence of one class of facts, or to draw a portrait of all that is repulsive and degrading on the evidence of another class, is the common method of the party writer, and the effect of not tracing the first formation of unusual dispositions of character. A course of years, darkened in their progress by all the annoyances which a proud and quick spirit feels in entire dependence, had inevitably the effect of fixing into habits the acrimony, the susceptibility of insult, the rancorous hate and "study of revenge," which wounded pride never fails to collect about itself. When too long subject to humiliation, the proud youth will arm himself with scorn, and find exaltation in the disparagement of mankind : and in the history of Swift these elements will often enough be seen like a sulphureous ore, glaring out upon the loftier heights, and mingling with the growth of better soil. Another principle will serve as the key of many passages in this memoir. A course of virtuous deeds, while it may be attributed by some to its ostensible motives, is frequently traced by others to some baser origin ; hence, the unqualified extremes with which biography is so often disgraced. Now, the fact which meets the error is this, that in the mixed impulses of our nature, there is place for both ; the primary impulse is often evil, the secondary good—and *vice versa*. When an angry man finds a course of good essential to his revenge, that course will not fail to exercise good feelings as he proceeds. And in a course of good deeds it is hard to keep

down the suggestions of inferior motives; as charity may be flattered into ostentation, or pulpit eloquence into personal vanity, so may the disappointed partisan be fired into patriotism, and the misanthropic spirit be enlightened with humanity.

In 1688, when the wars were breaking out in Ireland, and immediately after meeting with a galling humiliation in the university, Swift resolved on a removal to England; he had no prospect of advancement where he was, and both the university and the country which had been to him the scene of every misery and degradation, were hateful in his eyes. England, the birth-place of his family, the seat of honourable recollections, and of those associations which his pride loved best, presented to his thoughts the way to elevation; and the success of those talents of which he had a proud consciousness. Under these consoling impressions he went to reside with his mother in Leicestershire. She was related to the lady of Sir William Temple, whose family had been acquainted with that of the Swifts, and Thomas Swift had resided there as chaplain. It was, therefore, soon suggested to Swift by his mother to apply for patronage to Sir William. He took this advice, and was retained in the family as amanuensis at £20 a-year.

Sir W. Temple, though possessed of a small income, and without ostensible power, was one of the few most deservedly respected persons of this day. He had attained the respect of Europe by the rare combination of honest integrity and candour with efficient ability, in the character of a diplomatist. He was no less conspicuous for the excellence of his writings, both in style and matter, on a variety of useful and interesting topics; and his essays are yet read for their graceful ease and perspicuous style, as well as for the pithy vigour of the maxims and reflections which are scattered through them.\* In the course of his political employments, he had formed an intimacy with the Prince of Orange, whose good opinion and confidence he had gained, and this was now become a circumstance likely to increase his influence as a patron. Lady Temple was not less to be loved, admired, and respected than her husband; and though kept by her duties and a wise spirit within the private sphere of wife and mother, had in a pre-eminent degree those talents for which far inferior persons have been named illustrious, and was looked up to with wonder and admiration by many competent observers who knew her in private life.

It would not be easy to conceive a concurrence of circumstances more favourable to the prospects of a person of Swift's conspicuous talents. But it is worth while for any young person of high endowments, who has to encounter the same upward struggle, to reflect well upon the natural infirmities, which even in the most favourable cases of this nature, may be found most likely to interpose. In Swift's peculiar case they present themselves in the most aggravated form of disease. Still flushed with the fever of long resentment, and shaken with the convulsive pangs of a great and recent shock to his pride, he entered upon a new scene with a fiery and irritable sense of wounded self-importance, and a fiercely strung spirit of self-assertion. Every man

\* His Essays have been republished in Sharpe's Collection of the British prose writers in 1821.

who, with the consciousness of inward power, has had to force his way out of obscurity, and to be hourly affronted by the pretensions of exalted inferiority, will at once feel the force of this impression; pride was, perhaps, the master spirit of Swift's nature. As yet undisciplined by the keen pursuit of self-interest, and unchecked by that opposite species of self-importance, which can be derived from a flattering sense of influence with superiors, he could not so far restrain the salient impulses of his temper as to maintain that quiet and unassuming deportment which the great have a just right to expect from those who serve them in any inferior capacity. In such unequal alliances there is mostly imposed a self-suppression which would impart an apparent inferiority to the most commanding genius. Such a disadvantage will be lessened in proportion to the real intellectual eminence of the patron; it is not likely that the mature understanding of a man like Temple would hedge itself in adventitious dignity. His superior sagacity must have early discerned the mind of Swift, and Swift must have been conciliated and won by the dignified amenity of his manner, and the attractive wisdom of his conversation. But it can be inferred, with a force approaching to certainty, that among the household, he would find enough of food for the morbid growth of harsher feelings; he must have been taught to feel and to imagine daily slights, and have conducted himself so as to excite dislikes and resentments. These facts have no actual record, but there is something very nearly approaching to it in a letter quoted by Scott. The writer's informant was a nephew of Sir William's, Mr Temple (brother to Lord Palmerston). Among other things, he mentioned that Sir William "never favoured him (Swift) with his conversation because of his ill qualities, nor allowed him to sit down at table with him." The "outlines of this unfavourable statement are probably true," adds Sir Walter, "if restricted to the earlier part of Swift's residence at Moor Park;" he, however, observes, "that the enmity which was known to subsist between him and all the descendants of Sir William, may account for Mr Temple's placing his conduct in a disreputable light." Partly, we admit; but this enmity is itself in some measure illustrative of the point of view in which we have been placing his condition at Moor Park. A great and good man like Temple would sooner or later discern and do justice to the character of one whose infirmities are so counterbalanced by great qualities; his pretensions, at first unestablished, would gradually come to be admitted by the wise and discerning. But the vulgar, the dull, and the small-spirited, will not see or allow, save through the eye of the world; and to these the superiority of one whom their little pride desires to look down upon, is an injury for which after success of the most splendid kind cannot atone. There is, however, enough of ascertained incident in the life of Swift to give a colour of reality to the statements of Mr Temple. As Scott remarks, "The polished statesman, and polite scholar, was probably, for a time, unreconciled to the irritable habits, and imperfect learning of his new inmate." But Swift, with all his irritable pride, and undisciplined frankness of spirit, was himself eminently observant and sagacious; he was also prudent, his impulses, too, were all on the side of virtue and generosity; so that, upon the whole, there must have been a balance of kindness and good-



will in his favour. This must also have been much increased by the sobriety and steadiness of his conduct. He had cast away the besetting errors of his youth, and was preparing for his part on the stage of life. It is probable, that from the conversation of Temple, he received a strong impulse to self-improvement, and at this time he entered upon an assiduous course of study, to which he devoted eight hours a day. This severity of application was injurious to his health. He had also become subject to an attack in the head and stomach, which was first brought on by a surfeit of fruit, and which never ceased to return at intervals through his whole life. To this he traces much of his subsequent ill-health. In the relation of this fact, Scott cites and argues very conclusively against the opinion of Dr Beddoes, who derives much of Swift's conduct and ailments from the assumption that his constitution was exhausted by habits of profligate indulgence in the earlier part of his career, when he is known to have led an idle and irregular life, and kept dissipated company. We shall not here enter on an argument which we think decided by Sir Walter; and it must be involved in the observations, to which some part of his history must necessarily conduct us. We think it only essential here to remark, that in Swift, the intellectual faculties, together with those virtues and infirmities which are called moral, were so developed and predominant, that his animal nature was (as it were), diverted and overruled by mental excitements and by impulses which were in constant and excessive operation. For good or evil, in wisdom or folly, in him mind was always prevalent,—a first principle, to which we shall refer much of his life.

After two years' residence at Moor Park, his health gave way to the labour of his studies; and he paid a visit to Ireland in the hope of deriving some benefit from his native air. He was, however, disappointed in this hope, and after a short absence returned. He had in the previous interval won upon the esteem of his patron, who must have begun to derive the pleasure which always arises from the intercourse of talent and knowledge; and probably missed him in his absence. He was received with marks of regard, and now rapidly grew in the favour and confidence of Sir William.

At this time, the king was frequently a visitor at Moor Park, to confer privately with Temple on the conduct of his affairs. It is mentioned, that Swift was allowed to be present at the confidential interviews which took place; and, as Sir William was frequently confined with the gout, he was deputed to entertain the king. Such a fact unequivocally marks the sense of his merits entertained by Temple; and there is also reason to infer that the sagacious monarch was pleased with his conversation. He offered him a troop of horse, and taught him how to cut asparagus in the Dutch way. He also seems to have given him, either by precept or example, a lesson in the way to eat the same vegetable, which Swift retained through life, and sometimes inflicted upon his guests, whom he compelled to eat the stalks of their asparagus, with the assurance, "Ay, Sir! King William always ate the stalks!"\*

\* This occurred to George Faulkner, the bookseller, who told the story to Dr Leland.

More suitable hopes were at the same time held out. A letter to his uncle William, 29th November 1692, mentions, "I am not to take orders until the king gives me a prebend." The promise must be inferred, we think; and the hope was more fully warranted by circumstances immediately ensuing; a bill for triennial Parliaments was at the time in warm agitation, and Swift was commissioned by Sir William to state to the king his reasons in favour of that measure: he is said to have added new force to the views of his employer. The king was not persuaded. Swift was thus for the first time introduced upon that scene which was so peculiarly the object of all his tastes. This first trial was neither auspicious nor flattering; and like most persons who do not succeed, he moralised sensibly, and said it had helped to cure him of vanity.

In 1692 he went to Oxford, to apply for his master's degree, to which he was admitted 5th July, having been admitted *ad eundem* in Hart's Hall upon the 14th of the previous month. He was received with much courtesy in this university. The natural and obvious effect was a bitter comparison to the disadvantage of his own college—upon which Sir Walter has observed, that "the favour of Oxford necessarily implies genius and learning"—a remark of which we cannot question the justice, but which we would rather not meet in connection with an unfair comparison. This favour was experienced by Sir Walter himself, and the fact is no less honourable to Oxford than to its illustrious object. Swift neglected to call to mind under what very different circumstances his pretensions appeared in either of these two seats of learning. It would have been unfair to tell him that he was most favourably appreciated where he was least known, because he had undoubtedly undergone a great and favourable change; but it would be absurd to assume, that riotous and offensive disregard for the laws, authorities, and studies of his college were to secure favour, and be received as the indications of genius and learning.

He had already entered upon that course of discipline to which literature has been indebted for some of the most masterly models of style. In 1691 he informed his friend Mr Rendal, that he "had written, burned, and written again, upon all manner of subjects, more than perhaps any man in England." His first ascertained essay in verse was a translation from the odes of Horace, of which the versification is easy and idiomatic, without being inornate or slovenly, and there are several turns of his own characteristic habits of thought. He also made attempts of a kind which mark that he had not yet fully attained the knowledge of his own genius, which was assuredly little tinged with poetry: these were Pindaric odes, "the only kind of writing," observes Scott, "which he seriously attempted, without attaining excellence." The attempt is said to have been pressed upon him by Sir W. and Lady Temple: on showing his odes to Dryden, they elicited the just and pithy sentence, "Cousin Swift, you will never be a poet!" We should, however, here say, that these verses display far more poetical power than any one would anticipate from the perusal of those witty and spirited doggerels for which he is best known in poetry.

It is far more important to the right comprehension of Swift's char-

acter, to dwell for a moment upon the resentment which he never ceased to cherish against Dryden for the foregoing comment. As it marks a peculiarity frequently explanatory of his conduct, we think it worth while extracting some remarks of Mr D'Israeli, which Scott gives in a note:—"The enraged wit, after he had reached the maturity of his own admirable judgment, and must have been well aware of the truth of the friendly prediction, could never forgive it. He has indulged the utmost licentiousness of personal rancour; he places Dryden by the side of the lowest of poets; he even puns miserably on his name to degrade him as the *emptiest* of writers; and for that spirited translation of Virgil, which was admired even by Pope, he employs the most grotesque sarcastic images to mark his diminutive genius—'for this version-maker is so lost in Virgil, that he is like the lady in a lobster; a mouse under a canopy of state; a shrivelled beau within the penthouse of a full-bottomed periwig.' He never was generous enough to contradict his opinion, and persisted to the last." We trust it is not necessary to do more than say that we embody this stricture in our text from no wish to depreciate the character, which many able pens have toiled to draw in the most softened or favourable aspect. But a portraiture is nothing if not true, and this vindictive tenacity of ill-will, which never could forget or forgive the injury of wounded pride, is absolutely essential to be well weighed by any one who would have a thorough feeling of the character indicated in many of the most important passages of Swift's life.

But it ought to be observed, that Swift's genius, which at this time was soon to be made known, was itself, to a great extent, a development of the "*splendida bilis*," the pride, scorn, and bitterness, of his aspiring and most haughty temper; to which his keen sagacity and vast powers of intellectual apprehension were, with all their prominence, but tributaries. It would be a deep injustice not to add to these reflections, that pride has its virtues as well as its infirmities, and these, too, we shall have to trace with no illiberal hand. A poem, written by him on the illness of Sir William Temple, displays much of the characteristic of a fiery spirit turning on every side to break from obscurity, and impatient of those obstacles which poverty must for a time at least throw in his way. Addressing his muse, he tells her—

"To thee I owe that fatal bent of mind,  
Still to unhappy restless thought inclined  
To thee, what oft I vainly strove to hide  
The scorn of fools; by fools mistook for pride."

The fools, if such was really their opinion, were assuredly not very far from having made a lucky hit; and such is the common sophistry of pride; a defence which inadvertently admits the charge; for scorn implies the sense of superiority and the want of charity. The same lines unfold, and we think with truth, a more favourable glance into the interior of the author's mind:—

"Stoop not to interest, flattery, or deceit;  
Nor with hired thoughts be thy devotion paid;  
Learn to disdain their mercenary aid,  
Be that thy sure defence—thy brazen wall—  
Know no base action; at no guilt look pale;



And since unhappy distance thus denies  
To expose thy soul, clad in this poor disguise,  
Since thy few ill-presented graces seem  
To breed contempt where thou hast hoped esteem."

These last lines are considered by Scott to allude to the coldness of Sir W. Temple, and a disagreement which had begun to interrupt their growing cordiality. Nothing is more likely. But we should also notice the just and lofty expression of the high and independent tone of the author's spirit, and of that nobler direction of pride which spurns at baseness. We must also observe, that it is impossible not to feel the impatient sense which pervades the last lines of that lowering constraint of mind which we have already described as incidental to his situation at Moor Park.

He conceived, however, that he had reason to complain; Sir William appeared too dilatory in providing for him, and this he attributed to a selfish desire to retain his assistance. Temple, with at least equal injustice, considered his impatience as a proof of ingratitude. He offered him an office worth £100 a-year, in the Rolls Court in Ireland, of which he was Master. The reply of Swift is a very striking display of the independence of his character, and the strictness of his adherence to his own rule of rectitude. Such an offer, he observed, might be pleaded against the charge of entering the church from mercenary motives; and he would at once proceed to Ireland to enter upon holy orders. We give him credit for the higher motive; but the keen innuendo is too much in the satirist's style to be quite inadvertent. Temple felt the biting reproof. They separated in anger.

Swift came over; and, on applying for ordination to the bishops, found himself involved in a difficulty, of all others most galling to a spirit like his. Orders could not be obtained without a recommendation from Sir W. Temple.

He took five months to digest the gall of this humiliating exigency. The case was, nevertheless, urgent, and at length he obtained the hardest of all conquests, and wrote a most humble letter, remarkable for the admission which it clearly implies, of indiscretions of temper, which must have to some extent justified the coldness of Temple. It was found afterwards endorsed, "Swift's penitential letter," in the writing of Lady Temple, an injustice, if there had not existed grounds for penitence in his previous conduct. Scott remarks, however, upon it—"It is a painful circumstance to reflect how much the haughty mind of Swift must have been bent, ere he could humble himself to solicit an attestation of good conduct from a patron so selfish and cold-hearted as, in this instance, Sir W. Temple unfortunately approved himself." We must confess we do not quite agree with this charge. Sir Walter could not divest himself of the strong sympathy which he is known to have felt with genius, and had before him the mature reputation of Swift; but to Sir W. Temple, he was but a very clever young man, of great indiscretion, whom he employed for his own service, and had pledged himself to promote. After a period of service not more than adequate to its remuneration, and after meeting with much offence and vexation, which a common amanuensis would not have been allowed to offer a second time, Swift's offensive impatience was

met with an offer of £100 a-year—all that his patron is likely to have had in his gift. Those who rely on the patronage of the great are numerous; they are seldom persons who know anything of the world, and very apt not only to form unreasonable, but absurd expectations.

If Sir W. Temple had retained any feelings of offence, he was appeased by this letter; and, in a few days after its date, Swift received an answer so satisfactory that all his obstacles were removed. He obtained deacon's orders in October 1694, and those of priesthood in the following January. It is inferred that he must have also received from Sir William some recommendation to Lord Capel, then lord-lieutenant of Ireland; for immediately after he was presented with the parish of Kilroot, in the diocese of Connor. Of his residence in this place there is nothing known of sufficient importance to detain our narrative; but Swift soon grew sick of the rural wilderness. Sir W. Temple had, it is thought, in the mean time felt the want of the literary associate who could appreciate his conversation and writings. It is, indeed, not unlikely that he had in view the arrangement for posthumous publication which he after effected in his will. He wrote to invite Swift's return, in terms which held out a more favourable position in the family than he had formerly held. Swift was happy to seize upon the invitation, and again returned to Moor Park.

It may here be mentioned that his residence at Kilroot was made the ground of a scandalous story, in the highest degree improbable in itself, and subsequently ascertained to have had an origin in the insanity of the narrator, and to have received a doubtful support from the coincidence of the initials of some names. It is also said that Swift generously divested himself of his living in favour of a poor clergyman with a large family. Mr Mason has disproved those particulars which give all its character to the narration. But it is by no means improbable that Swift, finding the very evident expediency of giving up this small preferment after he had tried his ground and felt it secure at Moor Park, actually made a generous exertion to obtain it for one whose merit and poverty, and perhaps some personal civility, may have been a recommendation. Every one knows from what small incidents a story can be blown out into an imposing compass. Certain it is, that Swift did not resign Kilroot until he had been some time at Moor Park, which he must have quitted to retain it.

At Moor Park he was no longer a retainer, but a confidential friend,—a change which operated favourably on his entire relation with the family. He was no longer under the hourly necessity of vindicating pretentious incompatible with his position; and the native frankness of his manner came with a less inappropriate character from the guest and humble friend than from the hired amanuensis. Owing to this *seemingly* slight distinction his entire position at Moor Park was altered, and he continued on terms of the utmost kindness with Temple, till the death of the latter deprived him of the most truly worthy of his great protectors.

It was during this interval that he formed an acquaintance of which the history is strangely interwoven through his life. Among the inmates at Moor Park, there was a Mrs Johnson with her two daughters, of whom one, Esther, seems to have been the general favourite of the

family, on account of her beauty and promising disposition. They all felt strong interest in her education; and Swift himself, induced by a species of attraction to which he was in a peculiar manner liable, soon became the instructor of her mind, and, we should feel inclined to say, won her childish affections by those engaging attentions of which no man was more the master. Such romances occur but as episodes in the life of a spirit so restless, excitable, and engrossed as Swift's, and rather serve to amuse and feed the natural cravings of vanity and fondness than to fix and fill the heart. More alive to sentiment than to passion, and like all the proud and susceptible, dependent on that tenderness and wholeness of devotion which women only can give, he could, without calculating consequences, win an affection which, while it solaced his restlessness and gratified his pride and tenderness, might involve the peace of its unhappy object. This is one of the crimes commonly attributed to the most unfeeling selfishness. We should be very sorry to say a word in its favour, but truth compels us to say it frequently indicates a want of thought, though it *may*, and too often does arise from the most detestable want of every principle of humanity and honour. But, in Swift's case, this growing attachment was untainted by any design, and had assumed no form; it was no more than the innocent but perilous tenderness which is rendered doubly insidious by the high and pure feeling which it develops and exercises in its growth. It was, as we have said, an episode, and it appears that at the very time Swift was actually engaged in a treaty more serious in its objects. The history of this may throw some light on after events.

Miss Waryng was the sister to a person who had been Swift's chum (or chamber-fellow) in college. He had formed an attachment to her with less reserve than would have been consistent with the coldness and circumspection, as well as the prudent and peculiar tastes of a later period of his life. He had not as yet contracted unfavourable impressions with regard to matrimony, nor a temper ill suited with its reciprocity and mutual indulgence. At the age in which the mind is always most accessible to female influence, he was desirous to please, to make strong impressions, and to appropriate. Either the impulse of affection, or the entanglement of a sense of honour, or reluctance to disappoint expectation, or the oversight of an indiscreet moment, must have impelled a declaration. Whether actuated by one or all of these motives, it is certain that he proposed marriage. Miss Waryng seems to have returned his affection, but to have demurred on the grounds of ill health and prudence. It appears that her medical adviser had represented marriage as likely to prove dangerous to her life; and she also objected to the smallness of the income they should have—her own fortune being stated by Swift himself to be about £100 a-year, while his was perhaps about the same. Two of his letters to this lady are published in his epistolary correspondence, and some written at the same time to other persons contain allusions more or less applicable to the same subject. They strongly confirm the view which we have taken; and when considered together, they seem to imply that he was hurried from a friendship of a very usual nature into a proposal which he could not well avoid. When once engaged, his mind underwent a



revulsion to the tie which he had thus contracted, but his pride, as well as his restlessness, made him desire to hasten a course in which he was embarked. His urgency was such as rather to show his temper than his love, and more directed by a wish to conquer an obstacle than to gain a wife. He was nevertheless in earnest, and had no design of retracting from an engagement of which the accomplishment still seemed as a matter of course.

Long before this incident, he had written a letter to the Rev. Mr Kendal,\* in which he affords a strong clue to the inferences here arrived at. He speaks in this letter of his "cold temper and unconfined humour;" of marrying he says, "The very ordinary observations I made with going half-a-mile beyond the university, have taught me experience enough not to think of marriage till I settle my fortune in the world, which I am sure will not be in some years. And even then itself I am so hard to please that I suppose I shall put it off to the other world." Having given some description of the exceeding restlessness of his spirits, which, as Lord Berkeley had remarked to him, was like a confined spirit, that would do mischief if he did not give it employment; he adds, "it is this humour which makes me so busy when I am in company to turn all that way; and since it commonly ends in talk, whether it be love or common conversation it is all alike. This is so common that I could remember twenty women in my life, to whom I have behaved myself just the same way, without any other design than that of entertaining myself when I am very idle, or when something goes amiss in my affairs." After several further remarks of this nature, he turns to assure his friend that he is not very liable to be seduced into the kind of engagement then suspected by his mother; and adds, "and truly if you knew how metaphysical I am that way, you would little fear that I would." We only quote so far as is required by our purpose to elucidate the combination of physical coldness with ambition, sentiment, and excessive animal spirits. For in this may be seen the clue to all that otherwise appears least explicable in the conduct of his amours. An excessive readiness to follow and to raise the excitement of a sentiment led him on until he had reached the natural terminus of such dispositions; objections and demurs arising from different tendencies then came into play. To these we shall hereafter advert.

It is now to be considered, that till Miss Waryng had been led on so far as to give a full sanction to his addresses, Swift had acted the part of a strenuous suitor, while his natural love of conquest over the affections led him on to solicit; but, when the point for which his inclinations tended was actually obtained, and his possession of the inclinations appeared to him complete, he then, perhaps, to his own surprise (for it is experience that shows man to himself), found that he had been striving for a toy which he did not care to possess. The interest of pursuit was over, and his "free humour" recoiled at the sight of a tie. But Miss Waryng was by this time placed in a different position, so commonly and thoroughly recognised in society as to require no comment: it had become her interest to preserve the tie of an en-

\* Vicar of Thornton, in Leicestershire.

gagement which is generally an obstacle to any other; and to Swift it was necessary to break this tie by address, not force.

The means were not inexpertly chosen. Having till then combated her fear and prudence, he now addressed himself to affront her pride. Assuming a tone which seemed to place her in the position of one soliciting his reluctant consent, he asks her, "Are you in a condition to manage domestic affairs, with an income of less (perhaps) than three hundred pounds a-year? Have you such an inclination to my person and humour, as to comply with my desires, and way of living, and endeavour to make us both as happy as you can? Will you be ready to engage in those methods I shall direct for the improvement of your mind, so as to make us entertaining company for each other, without being miserable when we are neither visiting nor visited? Can you bend your love, and esteem, and indifference, to others, the same way as I do mine? Shall I have so much power in your heart, or you so much government in your passions, as to grow in good humour upon my approach, though provoked by a ——? Have you so much good nature as to endeavour by soft words to smooth any rugged humour occasioned by the cross accidents of life? Shall the place, wherever your husband is thrown, be more welcome than courts or cities without him? In short, these are some of the necessary methods to please men, who, like me, are deep-read in the world; and to a person thus made, I should be proud in giving all due returns towards making her happy. These are the questions I have always resolved to propose to her with whom I meant to pass my life; and whenever you can heartily answer them in the affirmative, I shall be blessed to have you in my arms, without regarding whether your person be beautiful, or your fortune large."

Swift had now approached within the limit of a new attraction, of the full force of which he had not yet become quite conscious—he only felt that a want of his nature, was supplied by a new and fairer attraction. His desire to gratify his affections, and appropriate those of the young and lovely, could not resist the fresh and artless graces of the youthful pupil who repaid his care by respect and devotion. The question here occurs to the reader,—did he at this time, while meditating the breach of an engagement,—by means the most offensive to female pride, delicacy, and tenderness—at the same time plan the progress of such another unprincipled romance? Was he even now dressing the unconscious victim for the perfidious altar? We say clearly, Not:—he was like all young persons who follow a wrong direction, in the delusion that he would go right in the end. Matrimony, to some more attractive as the termination of a long and glittering path of excitements, than as a present good, danced afar before his imagination as the conclusion of life's romance,—a thing only thought of as a sanction for a thousand little vagaries which would, without such an end, be either criminal or absurd. It was but a chapter of the book of human fallacies, which includes all the aims of human life. We have dwelt strongly on this subject, because it is the key to the least intelligible and most interesting portion of Swift's history; and it will be important, as we proceed, that the reader should bear in mind a clear sense of these considerations, as the grounds of interpretation which we



shall apply to the solution of his intercourse with the two unhappy persons who were the victims of his regard.

During the immediately succeeding events of Swift's life, as involving little of characteristic importance, we may pass summarily. During the four years which he lived at Moor Park, being the interval between his return and Sir W. Temple's death, he continued his studies with the most intense assiduity. He also exercised his pen in the discussion of every question of public importance which occurred, and it was his habit for several previous years, to write, burn, and re-write; thus disciplining his style into that ease, purity, and perspicuous simplicity of construction, which has obtained for him the most permanent part of his literary reputation. He was also careful of his health, and adopted the practice of daily exercise, by running half a mile up and down a hill every two hours. Among the labours of this period, he is mentioned to have studied the writings of SS. Cyprian and Irenæus.

It is also mentioned that he was accustomed to pay an annual visit to his mother in Leicestershire, travelling on foot, unless when the severity of the weather compelled him to seek shelter in a waggon. On these excursions, he slept at some "penny lodging"—we presume the waggoner's inn—where he paid sixpence for clean sheets. "This practice," Johnson observes, "Lord Orrery imputes to his innate love of grossness and vulgarity. Some may ascribe it to his desire of surveying human life through all its varieties; and others, perhaps, with equal probability, to a passion which seems deeply fixed in his heart—the love of a shilling." The second of the motives here assigned is that which was most proper to Johnson himself; the first and last have some apparent foundation in the habits of Swift. But all seem to overlook the facts of his situation and circumstances, which were at the time such as to render any other course inconvenient, perhaps impossible. Swift possessed no income, and must then have found it hard enough to keep himself in the necessary articles of wearing apparel.

In 1699, this period of peaceful and studious preparation was terminated by the death of Sir W. Temple. Swift had hitherto lived in expectation of a prebend of Canterbury, or Westminster, of which Sir William had obtained a promise from the king. He was now left in possession of Sir William's literary remains, together with a hundred pounds, by a codicil to his patron's will, added eleven months before his death. The literary portion of this bequest must have seemed to one whose hopes were mainly founded on his talents as a writer, to offer a favourable occasion for coming before the public under the most favourable auspices. It also furnished him with the best opportunity for reminding King William of a promise. Swift combined both objects by publishing the remains thus committed to his care, with a dedication to the king. A petition, claiming the promise, was at the same time forwarded through the Earl of Romney, who has been accused by Swift of having suppressed it. Whatever may have been the cause, it does not appear to have met with any notice. Swift continued to linger about the Court for a long time, improving, we have no doubt, the edge of his satirical acrimony, and storing the fund of deep insight, of party address, of political passions, and of concen-



trated bitterness and scorn which so deeply tinctures all his writings, and known conduct. During this probation, his abilities became well known; and his powers of conversation, as well as the keen sagacity of his observation on public measures, not only attracted great notice, but largely extended his acquaintance and gained him many friends.

A person with such advantages could hardly miss of finding some desirous to serve him, or to use his talents. Lord Berkeley, on being appointed to the government of Ireland, offered to make him his private secretary and chaplain; he accepted these offers, and came over with this nobleman. Lord Berkeley's lady, and his two daughters, the ladies Mary and Elizabeth Berkeley, were accomplished, cultured, and amiable; and his residence at the castle was made agreeable to Swift. It was soon, however, interrupted. Another person who held some official station about Lord Berkeley, and possessed that high sort of influence ever attained in courts by the useful instruments of dirty work, conceived the post of private secretary to be far more suited to himself; he was probably so far right, and we are inclined to suspect that the intimation originated from some higher source. Swift was no convenient confidant for a certain class of State secrets; though neither very nice nor delicate in his principles or moral taste—he was honest and rigidly upright, to the best of his judgment. He was induced to accede to the loss of his secretaryship, by the promise of the first rich living that should fall vacant. The deanery of Derry soon offered, and he claimed the promise; but was informed by the gentleman who had stepped into his place, that it was necessary that he should pay a thousand pounds first to himself. Swift's reply is said to have been, "God confound you both for a pair of scoundrels;" after which he at once quitted his apartments in the castle. It is mentioned by Lord Orrery, however, that he would have been appointed to this preferment, but for the opposition of King, then Bishop of Derry. The opposition of Dr King is very likely, but does not destroy the probability of the above story.

The satirical powers of Swift were by this time known and feared; and we should think that the above-mentioned simoniacal demand must also have been felt to be a dangerous weapon in such hands. The Lord-lieutenant took the speediest opportunity to make his peace, and disarmed a powerful and long-breathed enmity by the rectory of Agher, with the vicarages of Laracor and Rathbeggan, in the diocese of Meath. The combined emoluments of these, with the prebend of Dunlavin, which was soon after added, amounted to something very small, not together amounting to £200 a year. An account of his expenses, during the year 1701, is given by Scott in a note, and it appears that this income was nicely managed,—his expenses, not including household economy, amounting to £100; of which £12 or £15 were expended in "charity and gifts." He seems to have lost £5 at cards.

The quarrel with Lord Berkeley did not intercept the kindly intercourse between Swift and the ladies of the family. He retained his chaplaincy, and much of his time was passed in their society. Lady Elizabeth, better known as Lady Betty Germaine, continued one of his most friendly correspondents through life. Their private circle was

often animated by his wit: Scott mentions that it was here he first gave way "to the playfulness of his disposition in numerous poetical *jeux d'esprit*, which no poet ever composed with the same felicity and spirit." Among these playful effusions, he mentions "the inimitable petition of Mrs Frances Harris;" of which he afterwards observes in his annotation upon the piece:—"In this petition, Swift has bound his powerful genius to the thought, sentiments, and expressions of a chamber-maid;"—a feat which, it ought here to be added, was very characteristic of all his humorous compositions. He was a keen observer of every shade of manners, as well as course of conduct: in these two fields of experience, most of his intellectual range will, upon critical examination, be found. An amusing story is told of one of these sallies: he was employed by Lady Berkeley, more frequently than was agreeable to his taste, to read aloud for her from the *Meditations* of the Hon. Mr Boyle. In imitation of the style of these, he composed a meditation upon a broom-stick, which, when next called upon, he read out with a grave countenance and solemn tone, as a portion of the book.

During this time, his sister married a person of the name of Fenton, a currier in Dublin. Swift was enraged at the match, and, it is said, offered her £500, the whole of his existing property, to break off the match. The offer was not taken, and he ever afterwards showed a coldness towards his sister: though it is much to his praise that he contributed out of his small income to her support,—a needful act of generosity, for her husband became a bankrupt immediately after his marriage.

In the year 1700, after having discontinued his residence in the castle, he repaired to his living at Laracor on foot. Several anecdotes of this journey are told. These are not sufficiently authentic for this brief sketch: we shall confine our narrative to one which is extremely characteristic. On his arrival, he went to the curate's house, where he bluntly announced himself "as his master," and was received with all the deference which such a claim seemed to imply. The curate's wife was ordered to lay aside his only clean shirt and stockings; and he raised much alarm in the breasts of the simple pair, by those airs of stern and commanding superiority which he was so fond of assuming in sport, and so addicted to in reality. On this point, Scott has some happy remarks, which we must extract:—"This was the ruling trait of Swift's character to others; his praise assumed the appearance and language of complaint; his benefits were often prefaced by a prologue of a threatening nature; his most grave themes were blended with ironical pleasantry; and, in those of a higher nature, deep and bitter satire is often couched under the most trifling levity."

At Laracor his life was regulated by the most exact method of economy, and his conduct as a clergyman exemplary. He read prayers twice a week, though on the week day his church was thinly attended. The story, so well known, of his addressing the service to his clerk, "Dearly beloved (Roger)", on one of these occasions, is, on grounds which we think conclusive, rejected as a fable of Lord Orrery's invention. It has been discovered in some jest-book of older standing. It

is affirmed that his church was unusually frequented by the surrounding gentry.

He is mentioned to have expressed strong indignation at the dilapidated condition of his church and vicarage, and to have expended considerable sums in the repair and improvement of both. He added, at his own cost, nineteen acres to the glebe at Laracor—till then consisting of but one acre—and laid out the whole in the taste of the age, which the reader is aware was very different from the modern style of landscape gardening. He planted a garden—converted a little stream into a canal, and adorned it with a bank of willows. He purchased the tithes of Effernock, which by his will he bequeathed to his successors so long as “the Established Church” should last, and “to the poor in case it should be exchanged for any other form of the Christian religion, always excepting from the benefit those of Jews, Atheists, and Infidels.”

Swift, though not very earnest in his wishes to enter into the ties and obligations, and the various real and imaginary restraints of matrimony, was yet in the highest degree inclined to the indulgence of those tender sentiments and that refined intercourse which can only exist between the sexes. As we have fully explained, the remote intent of a nearer tie was sufficient to sanction and give a purer and more cordial tone to the attentions and endearments of such an intercourse. Of such a dangerous understanding, his former pupil, Miss Esther Johnson was destined to become the victim, and it was at this time that their very peculiar connection commenced. Miss Johnson's affections had early become engaged to her admirer, and his (such as they were) were not less won by her beauty, talent, and goodness; and we have no doubt of the fact that both contemplated marriage at some future period, as the ultimatum of their hopes and wishes: for this we shall presently offer our reasons. Sir W. Temple had bequeathed to Miss Johnson a leasehold interest which he held in the county of Wicklow; and it readily occurred to her lover and herself, that the care of her little property required that she should live in Ireland. Swift planned the execution of this resolve, so as to meet his own wishes, and in a fatal hour for this unfortunate lady, whom we shall henceforth call Stella—the name by which she is so well known—she came with her friend and companion, Mrs Dingly, to reside in the county Meath. The following plan of life was adopted, to guard against the scandal which such an arrangement might otherwise excite,—Stella took up her residence at Trim, where she lived when Swift was at Laracor; but always removed to that vicarage when he was absent. It is evident, also, that Swift's anxious care on this delicate point had another motive of no slight weight; fearful always of being hurried into a marriage to which he had yet an unconscious dislike, he was aware that any serious calumny would necessitate marriage. He was, therefore, actuated by a watchful anxiety to maintain the safety of a tie which he desired to keep up for a long time at least. Poor Stella could not conceive any cause of delay but the one ostensible and expressed reason—often, though perhaps indirectly, insinuated by her admirer—his ambition would deter him from marriage until his fortune should be equal to support the burthen in a style suitable to his taste. This



point was sedulously impressed. But to Stella this prospect did not appear remote; the same talent and influence which had so far advanced him, could not fail to carry him further, and hope looked confidently forward to the result so earnestly desired. A careful perusal of the letters, which he not long after wrote to her from London, places it beyond doubt, as they abound with intimations which admit of no other construction, without assuming him to have had the design of cheating his victim by the equivocation—and this will be assumed by no one who considers the character of Swift. Of this curious and interesting correspondence we must take some notice presently, when it will become a portion of our materials; we shall, therefore, only further add here, that the terms of endearment in which Stella is addressed, such as, "Dearest," "Love MD. ten thousand times beyond his life," have but one signification to a young woman, and but one intent when used to such by a man of common sense. While in speaking of his expectations and fortunes, he now and then intimates that his anxiety on this head is all for her sake. It should indeed be observed that the peculiar style of a pet language, in which everything is said in a half playful manner, seems to have been adopted to prevent the language of endearment from generally assuming too serious a direction; but the whole is too evidently accommodated to one, and only one, state of feeling between the parties concerned, to admit of any doubt.

Not looking to the imprudent character and unhappy result of this connection, it was calculated to throw a transient glow of happiness over the life of Swift. Having succeeded in colouring his conduct with the plea of good intentions, he was enabled to enjoy the society which was essential to his temper, and to possess all that he much cared for of matrimony, divested of its peculiar cares, encumbrances, and ties. But such a felicity was evidently liable to interruptions of a very trying and imbittering character, such as with any one more impassioned, and less absorbed than Swift, must have soon compelled the adoption of a securer tie. Stella, at this time young, beautiful, and engaging, was the object of general admiration; and when it was understood that she was disengaged, she accordingly met with a respectable suitor in the person of the Rev. Dr William Tisdal, a neighbouring clergyman, who was living in habits of intimacy with Swift. The circumstance was in a high degree embarrassing. On her part, Stella must have felt the impossibility of appearing to assume intentions yet undeclared, although she had no doubt that a little time would bring forth such a declaration. And, indeed, there can be little reasonable doubt that she must have looked on this incident as offering a happy occasion to bring her lover to this act of justice. Swift had strong affections, but his pride and ambition were far stronger; he also saw too keenly into the affections and motives of others. Instead of being carried from his course, he had resort to manœuvre; affecting to consider the address of Mr Tisdal on the general views of prudence, he took the part rather of a common friend and guardian than that of one personally interested as a rival. Of this position he dexterously availed himself to throw every impediment in the way. To Stella he contrived to appear to speak fairly of his rival in the language of approbation;

but while his praise amounted to nothing, it was accompanied and coloured by satire and the intelligible but indirect intimations of dislike and disapproval. Stella felt disappointed; but with the ordinary infatuation of female devotedness, she soon repaired the broken tissues of a baffled expectation, found reasons for her lover's conduct, and trusted still. Swift was reproached by Tisdal for his insincerity, and that there were ample grounds for this accusation, is to be proved from the published correspondence of Swift.\* It will be unnecessary to go further into a subject which we can here notice only for its general bearing on the history of Swift's intercourse with Stella. Mr Tisdal made his formal proposals, and was refused; after which there must have been a general understanding that Swift and Stella were engaged to each other.

Swift's mind in the midst of these arrangements, so laden with future ill, was far less subject to the influence of social and domestic ties than to the earnest ambition which is so strongly excited by the consciousness of great and untried powers,—his extensive reading—his keen insight into life and its concerns—his expert power of combination—his commanding and ready elocution—his mastery of satire, with all its keen and glittering weapons—and the power of winning his way by address, appearance, and nerve. This rare and powerful array of distinguished endowments could not be willingly devoted to the retirement of Laracor. He had a keen sense that it was not his vocation to “play with the tangles of Neræa's hair,” and burned to tread the arena for which his whole nature was constituted. A mind with so many strong springs of action was likely to have formed determinate views of questions, and to be little tied by the conventions of party; he would be apt to judge from reason, or the prepossessions of his own mind, rather than be ruled by the prejudices of opinion. He might be in error, but he was too proud to be the follower of crowds. Accordingly, we find that he had his own political views composed out of those entertained by both of the great parties then prominent in public affairs. He was a Tory in religion, and a Whig in politics. These well-known political distinctions had their origin in this reign; but in the circling course of social opinions it has so happened that the parties who respectively bore these names are now understood to have changed sides. The proposition must be received with a very important modification. The Whigs carried their Liberal ideas of civil government into ecclesiastical polity; and in their zeal for freedom they incurred the reproach of latitudinarianism. The Tories, on the other hand, carried the same tenacity of ancient institutions which characterised their politics to the support of ecclesiastical rights and government. Thus the Whigs were what was called *Low Church*, and the Tories were in like manner distinguished by the designation of *High Church*. Both parties remain to this day; and, notwithstanding the assertions of most historians and politicians who have spoken of them, they have, through all, severally retained their identity in principle. The changes have been in the times and circumstances; and it could be shown how the same principles consistently and invariably pursued,

\* Scott's Edition, vol. xi.

may, in the course of a few generations, carry any party over to most opposite ground.

Leaving for the present these general considerations, it will be easy to understand the grounds upon which a Churchman of independent temper and clear understanding might adopt the just views, and reject the errors of either party, and agree with one in supporting sound principles of civil government, and with the other in preserving the constitution and immunities of the Church of England. This independent election of political opinions, inconsistent with the thorough-going spirit of party, was probably felt as an embarrassment for a time by Swift in taking his direction. But in this respect he was to be governed by circumstances. Whatever might have been the principles of Swift, he had a sense of communion with both sides. He was in reality far more a politician than a churchman—more bent on fame and preferment than devoted to either Church or State; and whichever party could best promote his objects, or was readiest to conciliate his ruling pride, he could join without self-reproach, and quit with a fair excuse. Accident first impelled him towards the Whigs.

In the end of King William's reign the contests between the two Houses of Parliament rose to a pitch of violence and animosity, which was in no small degree calculated to endanger the authority of both. The lower House—from its more popular constitution, ever in those ancient times more liable to inflammable impulses—having exerted a factious authority to harass and impede the counsels of the king, extended its hostility to those noblemen who had been his confidential servants and advisers. In 1701 impeachments were preferred against Somers, Halifax, and other lords, who had been concerned in a treaty for the partition of Spain. The lords, opposed to these proceedings, endeavoured to restrain them within the bounds of law and of parliamentary privilege. With the results we are not concerned; it is enough to say that the contest rose to a height sufficient to carry alarm to sober minds. Swift saw these violent proceedings through the light of Grecian history; he recollected those civil convulsions in the nations of antiquity, in which the dissensions of the upper classes exposed them to the assaults of the democracy, elevated by their discords to an unnatural position in the state, and thus let in despotism. This application of the precedents from antiquity was the peculiar taste of a time when political science had not taken an independent form, and the works of the ancients formed a considerable portion of literature. He published a pamphlet upon the contests and dissensions between the nobles and commons in Athens and Rome.

This dissertation, in material and method, harmonising with the intellectual bent of the age, and set off by a style peculiar to its author, simple and nervous beyond any other then or perhaps since known, could not fail to attract general attention. It was at once ascribed to Somers, and, when denied by him, to Burnet. The bishop was forced to disown it publicly to escape the resentment of the commons. Swift happened to be in company with the Bishop of Kilmore when this report became the subject of conversation, and on denying its truth, was assured by the bishop that he was "a young man." On repetition of his denial, the bishop called him "a positive young man."



The temptation was too strong to be resisted by Swift's temper, and he acknowledged the production to be his own. In the following year, when the accession of Queen Anne effected a great change in the relative position of parties, bringing in those great Whig Lords who had courted her during the late reign, and fixing for a time their party by the commanding favouritism of Sarah, Duchess of Marlborough, there was now no motive for concealment of the authorship of a pamphlet which could have been attributed to Somers and Burnet. The reputation thus acquired gave at once a stamp of distinction to his character, and introduced him to Lord Halifax, to Somers, and to the Earl of Sunderland, with whom he had already a slight acquaintance. At this time, we are informed by Swift himself, he had several conversations with Lord Somers, in an after-recollection of which he says:—"I told him that, having been long conversant with the Greek and Latin authors, and therefore a lover of liberty, I found myself much inclined to be what they call a Whig in politics, and that, besides, I thought it impossible, on any other principle, to defend or submit to the revolution; but as to religion, I confessed myself to be a High Churchman, and that I could not conceive how any one who wore the habit of a clergyman could be otherwise."

During this interval he also formed acquaintances and friendships with the most eminent literary persons of the time. A passage in Sheridan's *Life of Swift* contains some curious particulars of his first appearance among the wits, and is also descriptive of the species of intercourse and habits usual among literary men in his day, for which reason we shall extract the whole. "Though the greatness of Swift's talents was known to many in private life, and his company and conversation much sought after and admired, yet was his name hitherto little known in the republic of letters. The only pieces which he had then published were, *The Battle of the Books*, and *The Contests and Divisions in Athens and Rome*, and both without a name. Nor was he personally known to any of the wits of the age, excepting Mr Congreve and one or two more, with whom he had contracted a friendship at Sir William Temple's. The knot of wits used at this time to assemble at Button's coffee-house, and I had a singular account of Swift's first appearance there from Ambrose Phillips, who was one of Addison's little senate. He said that they had for several successive days observed a strange clergyman come into the coffee-house, who seemed utterly unacquainted with any of those who frequented it, and whose custom it was to lay his hat down on the table, and walk backward and forward at a good pace for half an hour or an hour, without speaking to any mortal, or seeming in the least to attend to anything that was going forward there. He then used to take up his hat, pay his money at the bar, and walk away without opening his lips. After having observed this singular behaviour for some time, they concluded him to be out of his senses, and the name that he went by among them was that of 'the mad parson.' This made them more than usually attentive to his motions; and one evening, as Mr Addison and the rest were observing him, they saw him cast his eyes several times on a gentleman in boots, who seemed to be just come out of the country, and at last advanced toward him as intending to address him. They

were all eager to hear what this dumb mad parson had to say, and immediately quitted their seats to get near him. Swift went up to the country gentleman, and in a very abrupt manner, without any previous salute, asked him, 'Pray, sir, do you remember any good weather in the world?' The country gentleman, after staring a little at the singularity of his manner and the oddity of the question, answered, 'Yes, sir, I thank God I remember a great deal of good weather in my time.' 'That is more,' said Swift, 'than I can say. I never remember any weather that was not too hot or too cold, too wet or too dry; but, however God Almighty contrives it, at the end of the year 'tis all very well.' Upon saying this he took up his hat, and, without uttering a syllable more or taking the least notice of any one, walked out of the coffee-house, leaving all those who had been spectators of this odd scene staring after him, and still more confirmed in the opinion of his being mad." To this most valuable, because most characteristic anecdote, we might add others taken from the same source, but that we have been already too much tempted to exceed the scale of our space.

*The Tale of a Tub*, which was published in 1704, gave the last stamp to the character which he in this interval began to acquire among the wits of his time. This very peculiar production is supposed to have been first sketched out at an early period in the University of Dublin. Its style is formed upon that of Rabelais, and, in the judgment of Scott, displays all his humour, without his extravagance. The design is to trace the several histories of the Churches of Rome, the Church of England, and of the Presbyterian, under the allegorical fiction of three brothers—Peter, Jack, and Martin—who are severally made to represent, by their conduct and actions, the main incidents affecting those divisions of the Christian Church. It was published for the service of the High Church party, and is said to have been very effective in promoting its interests. It had, however, an unfortunate effect upon the writer's fortunes, as this service was not so much felt by those whose approbation was most to be desired, as the injury inflicted upon religion by the characteristic levity with which sacred things are treated. This gave offence to the pious of every sect, and was eventually the obstacle to Swift's promotion. At the bar of human opinion there is, however, something to be said for the author. It was a day of form and profession rather than of genuine piety. The sacred writings were held in decent reverence, and considered as title-deeds in the depositary of the Church; but a tissue of human ethics had insensibly crept into their proper place. Puritanism had made the language of Scripture as offensive to the taste as the licentiousness which followed had made blasphemy and ribaldry to the sense of decorum. In such a state of the times it is easy to feel how an overflowing wit, a mind not very reverent by nature, and a temper addicted to levity, would have been betrayed into the facile and tempting indiscretion of burlesque, for which the most grave and solemn truths afford the readiest scope. Answers were written by eminent divines and scholars, who all agreed in marking with severity the inconsistency of such a profane satire with the profession of the author. And this opposition and censure were justified by the fact that Voltaire and his execrable

school, which made wit, blasphemy, and buffoonery answer those infidel purposes to which reason has ever been found an unsafe ally, hailed *The Tale of a Tub* with acclamations. One thing may be added—the work was not publicly acknowledged by the author. Though fully recognised as his production among the literary and ecclesiastical circles, he preserved a prudent but ineffectual reserve upon the subject through his whole life.

The High Church party, in the course of time, admitted that this production had done them service. But long before this Swift had been received as a friend among the Whigs, who were far less liable to the species of offence which we have explained. He was become the intimate and social companion of Addison, Steele, and other celebrities among the literary, and was not less distinguished by the notice and favour of such men as Somers, Halifax, and Pembroke.

Between Swift and Addison there soon was nurtured a friendship worthy of two such men; and we ought here to say, what we have too much neglected in our anxiety to trace some of his less understood peculiarities, that few men have been more worthy of praise for those engaging qualities which can attract tenderness or gain esteem in private life than Swift. A dignified person and countenance—a most clear, unflinching, appropriate, and nervous flow of language—a thorough command of his faculties and acquirements—an overflow of gay, sparkling transitions from the most unequalled vein of humour to the most refined and classic wit;—with this there was a fervour in the expression of his sentiments and affections to which the occasional bluntness and pungency of his manner and style of expression gave the tone of sincerity. These particulars may be collected from anecdotes, from his correspondence, and from the very deep and permanent impression which he appears evidently to have made on all who came within the scope of his familiar acquaintance. At this period Addison appears to have filled the first place in his regard. When they were together, they wished, it is said, to escape the interruption of any other acquaintances.

Notwithstanding the warmth with which he was cultivated, still it is very likely that some dissatisfaction was perceptible among his political friends at the peculiar combination of opinions which he freely expressed. Such avowals of the creeds of opposite parties were understood, as they still are, to constitute political inconsistency; and he was soon taught to feel that some change must take place in himself or his friends before his path to consequence and preferment could lie smooth to his feet. With this view he began by efforts to unite the parties, or more probably to recommend to the Whigs the Church principles of their opponents. The fruits of this effort were not brought to maturity, as he appears not to have succeeded in satisfying his own fastidious judgment, and burned in the mornings what he composed at night. One pamphlet alone was suffered to appear, *The Sentiments of a Church of England Man with respect to Religion and Government*. It was published in 1708, and contains, says Scott, “a statement concerning the national religious establishment, fair, temperate, and manly, unless where it may be thought too strongly to favour the penal laws against nonconformity. The final conclusion is, that ‘in order to



preserve the constitution entire in Church and State, whoever has a true regard for both would be sure to avoid the extremes of Whig for the sake of the former, and the extremes of Tory on account of the latter.’”

The effect of such a temperate and independent course will be readily conceived. Scott observes that the pamphlet above mentioned was but a preliminary step to the desertion of the author's party. Another pamphlet soon followed, which must have been considered as placing such a conjecture beyond doubt, though it must still be admitted to be strictly consistent with his known and declared opinions. This was his celebrated *Letter upon the Sacramental Test*, in which all the weapons of reason and ridicule are exhausted to maintain the principles of the High Church party. He concealed the authorship for a time, but it was soon traced; and from this commenced a coolness between him and the Whigs.

It was about the same time that Swift was first employed by Archbishop King to solicit for the tenths and first-fruits. We have already, in a previous volume, related the main particulars of this commission.\* The attempt at this time failed, as this concession, having been made to the English clergy, was thought to have been ineffective in conciliating them to the Government; and for the more obvious reason, that being considered as Tories, they could expect nothing from a Whig administration. This administration was indeed little inclined to favour the Church, for it was as latitudinarian in religion as it was liberal in politics.

Swift was too sagacious not to see that his favour with the Whigs was no longer to be relied upon. He left town, and having spent some months in Leicestershire, returned to Ireland. Lord Wharton was at this time the lord-lieutenant. Swift had a letter to him from Lord Somers; but instead of availing himself of it, he passed without delay through Dublin, and retired to meditate other efforts at Laracor. He was indeed prevailed on, by the importunity of friends, to deliver his letter; but having done so, withdrew, and seldom after visited town during the government of Wharton. Previous to his return, some slight efforts for his advancement had been made, and failed; and he had been led to indulge a vain expectation that, through the interest of the same friends, something was likely to be obtained from this nobleman. The truth seems to be, that Lord Somers had pressed for his appointment as chaplain to Wharton, and that this application was defeated by the hostility of Archbishop Tenison and other bishops, whom Mr Monck Berkeley, with as much courtesy as good taste and gentleman-like feeling, terms “right reverend blockheads.” It is also made apparent that Swift expected, but did not apply for the chaplaincy.

We must now sum up very briefly the incidents of this interval which remain. In 1709 he published a *Project for the Advancement of Religion*, which made an impression of the utmost importance: in the next year, fifty churches were built in London avowedly on its suggestion. It must, however, be added, that, like all human projects of any

\* See Life of Archibald King.

extent, it contained much that would be impracticable, and something that would be pernicious. It is the common fault of projectors to overlook the imperfections of means, the effects of accident, and the vices and follies of men. A system of censorial commissioners, to inspect and guard the morals of society, might itself not display the purest example—*quis custodiet ipsos custodes* might be a question not easy to resolve; assuredly the administrations of Harley and Walpole would ill brook the existence of a court of moral inspectors. But we are carried away from our purpose. Under the assumed name of Isaac Bickerstaff, he published *Predictions for the Year 1708*, in which the style of that class of quackeries which it was its design to ridicule, is assumed with admirable adroitness. Among other waggish announcements for the year he prophesied the death of an eccentric person, a Mr John Partridge, who was popularly known in that day as practitioner in physic and astrology. He fixed the event upon the 29th of March, at the hour of eleven at night. Partridge was enraged, and in his almanac for 1709 did not fail to assure the public that he was still "living, and in health, and all were knaves who reported otherwise." Partridge had the ill-fortune, in the efforts which he made for his own protection, to fall into the hands of persons who readily lent their aid to keep up the joke. A letter, which he addressed to a friend in Dublin, was transmitted to the junto of wits of whom his tormentor was one, and soon after appeared in the *Tatler*. Isaac Bickerstaff replied, and insisted on his decease in several amusing pieces in the dry irony of Swift's style. At last poor Partridge became so annoyed, that he had recourse to Dr Yalden, who lived near him. Yalden affected to enter seriously into his case, and published a pamphlet, entitled *Bickerstaff Detected; or the Astrological Impostor Convicted*, in which, in Partridge's own name, he gives a most ludicrous narration of his sufferings from the prediction of Bickerstaff. The Inquisition in Portugal took Swift's predictions as seriously as Partridge, and treated the predictions of Bickerstaff as doubtless they would have treated the author, having sentenced them to be burned. This joke was sustained for two years, and was carried on by the aid of Prior, Rowe, Steele, &c. It is said to have given rise to the *Tatler*, and consequently to that series of British periodical writings which are now among the classics of our language.

Swift's mother died in 1710. Of this event he says—"I have now lost my barrier between me and death. God grant I may live to be as well prepared for it as I confidently believe her to have been; if the way to heaven be through piety, truth, justice, and charity, she is there."

In the same year, he was once more commissioned to solicit for the remission of first-fruits and tenths, on, we believe, the suggestion and interest of Archbishop King, and arrived in London upon the 7th of September. In a letter to the archbishop, dated on the 9th of the same month, he gives an account of his reception. He was caressed by the principal men of both parties; the Tories had perhaps calculated on receiving him into their party, as they were generally aware that his opinions were in some important respects favourable to such a change;



it was also not unknown that he was discontented with the neglect which he had experienced from the Whigs. These considerations are hinted strongly in the letter in which he writes—"Upon my arrival here, I found myself equally caressed by both parties; by one [the Whigs], as a sort of bough for drowning men to lay hold of;\* and by the other, as one discontented with the late men in power, *for not being thorough in their designs*, and therefore ready to approve present things." By Lord Godolphin alone he was coldly received, and felt it with characteristic bitterness of spirit; his mind had been already made up, but we cannot doubt that the affront went to increase the sum of motives, and give additional decision to his conduct. He afterwards took his revenge in a satire, entitled *Sid Hamet's Rod*.

A brief retrospect will be necessary for a clear insight into the position in which he now stood. There had for some years existed a slow reaction of popular feeling against the Whigs. The decline of the Whig party can be in some measure traced to a violent reaction of popular feeling against the patrons and supporters of low church principles. There had also for some years been widening and enlarging a deep and dark mine under their feet, by secret intrigues, carried on between the Tory leaders and the court. The Duchess of Marlborough, who had hitherto been the presiding genius of the Whigs by the absolute ascendancy which her wit, spirit, and cleverness preserved over the feeble though tenacious temper of Queen Anne, had early committed a fatal error by the introduction into the household of the princess, of Mrs Abigail Hill, a poor relation whom she had taken under her protection. Mrs Hill had an understanding of her own, and a spirit many degrees more suited to gain the favour of the princess, who feared the haughty duchess, and was won by the art and well-assumed affection and subserviency of the bed-chamber woman. This the duchess was too proud to suspect; it was thus kept profoundly secret for several years, and the mystery of a clandestine intercourse, which has so much charm for small minds, strengthened and confirmed the influence thus acquired. Abigail Hill was also related to Mr Harley, who soon, by her means, became a party in these secret gossipings. The fear and dislike which the queen entertained against the Whigs, and her strong desire to break the bond by which they held her in subjection, which she wanted spirit to resist, became the well-selected groundwork of this intrigue. Harley was admitted to private audiences by a back-stair entrance to the queen's closet, and soon won the favour of the queen by the hopes he held out of breaking the power of the Whigs, and setting her free from their tyrannical authority. This intercourse was discovered by the duchess some three or four years before the time at which we are now arrived; and from that moment she was perhaps aware that her authority was in danger. The duchess was too proud to strive successfully against the influence of such low arts; she was so accustomed to command that she could hardly bring home to her mind that such was the actual state of facts; she still continued to pursue the same course of lofty self-assertion, and it required much time and persuasion to strengthen the feeble Anne enough to make even an effort

\* He uses the same expression in his journal to Stella.



to shake off the high and stern ascendancy by which she was held in awe. Three years of whispering, persuasions, exhortations, and promises were scarcely sufficient to loosen these ties. The duchess, at last giving way to her own haughty impulses, openly assailed the queen, who quailed before her, and even denied the secret practices; from which there issued a succession of slights, offences, and tart collisions, which gradually operated first to loosen affection, and then to wear away respect. Thus, at last, the queen grew hardened against remonstrances, and irritated by reiterated insults into courage; the obstinacy of her temper was summoned to her aid, and her small "stock of amity," which, according to Swift, was not sufficient for more than one, was entirely transferred to a more convenient union. The spell that had bound her was dissolved, and with her hatred to the Whigs, who had so long held her in constraint, her hopes of freedom grew. In the meantime, the Whigs were crippled by jealousies and dissensions, which we do not think it necessary to notice. Under these circumstances, there had been for some years a fierce struggle, in which each party gained occasional or seeming advantages, until an incident, apparently slight in itself, for a moment threw the kingdom into a flame, and gave rise to a strong reaction of high church zeal, which shook from its already insecure foundations, and precipitated the Whig administration to the dust. This incident was the famous sermon of Sacheverel, whose inflated eloquence might have been comparatively ineffective, had not the desperation of the Whigs raised him at once to popularity by an impeachment. We cannot enter into details; England soon resounded with the cry of "High Church and Sacheverel." Harley was not remiss to avail himself of the juncture; the time had arrived for the dismissal of his enemies; and all that was wanting was to secure a Tory Parliament. He therefore advised the dissolution of Parliament; and, in the heat of the agitation which had been set in motion, a Tory election became a matter of certainty. Harley now carried matters as he thought good, and brought in a cabinet of his own, in which, with his characteristic artifice, he retained several Whigs, lest his party should escape from his own control.

It was not long after this event that Swift commenced the most interesting period of his life. Besides his strong affection to the church, he had been discontented with his Whig friends. It is needless to analyse the substance of his complaints; we shall only say, that to our eyes they seem not very well founded. He was known to be a doubtful ally, and it cannot be said that he had fairly awaited the ordinary probation of the best earned court patronage; Somers had done all that ought to be expected, and Halifax might well exact some further and less equivocal support than his letter *On the Sacramental Test* implied. Swift was himself impatient and vindictive, and having taken offence at some, was little disposed to enter into those minutæ of which such questions are mostly composed. He saw the condition of a party which had at best been cold friends, and he consulted his duty as a churchman, not more than his obvious interest, in stepping over to the ascending scale.

These points being understood, the proceedings of the following few years will demand no lengthened narration. The business of soliciting,

upon which he was employed, gave him a ready introduction to Harley, by whom he was received in a manner which plainly shows how much his accession was coveted. The affair of the Irish 20ths and first-fruits was soon and easily despatched; but a close and familiar intercourse, such as we believe can find no parallel in history, was established between Swift and Mr Harley. By this minister he was introduced to St John, and from that they appear to have between them left nothing undone to secure his affections to themselves, and his invaluable co-operation in their service. For this end they conciliated and won his haughty independence of spirit by submitting to the tone of equality, often bordering on dictation, which was the result of his pride and conscious importance. In this respect they had indeed no choice; for the talents and temper of Swift could not fail to assume their level; and it may be added, that the brilliancy of his conversation, his high spirit, and the evident indications of a noble and generous temper, could not be without their appropriate influence. Without these considerations, it is indeed one of the many difficulties to be found in Swift's life, to comprehend the species of importance, so rapidly acquired by a person entirely destitute of those claims which are commonly recognised in the higher political circles. The reader has only to imagine any one whom he conceives to be the foremost political partisan of the present day, placed in precisely the same circumstances with a modern prime minister, to bring home to his mind the nature of the obstacles to be surmounted by the most transcendent powers. There were, at the same time, some facilities which do not now exist; the public mind was then mainly accessible by the instrumentality of the pamphleteering tribe—and of this class Swift was the *facile princeps*,—or only to be approached by the very first writers of the Whigs. Standing on this ground, the rest may be ascribed to the ascendancy of genius and character; but it should be observed that the same powers, in the present day, would not tend to place their possessor in a similar position. The rise and singular progress of Swift's intimacy with Mr Harley is marked in the journal which he regularly transmitted to Mrs Johnson; and in which the slightest incidents of his personal history were recorded from day to day. To this journal the reader, who desires such information, may be referred for much curious display of character, and many details too minute for a sketch like this. We may observe that we have attentively perused it, and that many of the decisions to which we have come upon the character and conduct of the writer have been mainly founded upon the gleams of himself to be found in this, and in his correspondence; not, indeed, from any intentional disclosures, which are seldom of any value in the appreciation of character, but from the due estimate of the general value of those indications always to be detected in the private intercourse of life. We are compelled to confine our narration to the main incidents.

Swift, as we have related, was admitted at once to the most familiar intimacy with Mr Harley, and the secretary, Mr St John, with both of whom he contracted a close and permanent friendship. It is doubted that he was ever admitted to their confidence. This doubt originated with Lord Orrery, and was repeated by Johnson. Sir Walter quotes the passage from Orrery, and replies to it at length, and decisively.



Lord Orrery, however, was not fully possessed of those details which time has since placed on record, and which satisfactorily prove that there was no reserve so far as related to the actual conduct and business of the Government. The several papers written by Swift, and above all his *History of the Peace*, manifest a thorough and documentary acquaintance with all the main transactions of this administration; and the letters at a later period of his life, between himself and the principal parties concerned, fully confirm this impression. A man like Swift could not well have been duped by such men as Harley and St John; but it is evident that Lord Orrery was deceived by want of duly distinguishing between their public and private views. As the history of these persons is strongly interwoven with that of Swift, it may be advantageous to form some distinct idea of their characters. Harley appears to have possessed considerable scholarship and literary taste, with a sufficient range of those inferior talents which are available in debate, or in the routine of official business. He was, in a higher degree, master of the tact and address essential to the consummate intriguer; but in him these qualities were neutralised by an indolent habit, and a wavering and procrastinating spirit. He was a man to play out his game in a falling house. He had many kindly and amiable affections, a moderate temper, with an inclination to right, but a greater zeal for his own personal aggrandisement. He was placed in a doubtful and difficult position, and compelled to act in opposition to his own political views against a party which he respected and feared, and with a party which he distrusted and disliked. He, therefore, often acted equivocally, and always manifested an indecision which gave great discontent to his party, and to which they finally attributed their decline. He had at his back a most violent party, strongly heated with feelings unfavourable to the Act of Settlement, and, as the mob of a party ever will be, anxious to precipitate extreme measures. Of these he was more fearful than of his declared enemies, and was forced to take refuge in delays and reserves, and, where he dared not avow motives, to raise secret impediments. The party of which he was nominally the leader contained a large infusion of Jacobites. In the course of events, the possibility of a restoration of the exiled race became an object of contemplation to many observant politicians, and to Harley among the rest. Hence arose a trimming, cautious, and unprincipled correspondence of a clandestine character, which to some extent enfeebled, and rendered additionally inconsistent, the deportment of this amiable, but not very strictly principled man. Though we should in fairness add, that the reproach must be qualified by a consideration of the state of affairs, which offered motives not now easy to estimate fully; for, between the House of Hanover and the Pretender the event was for some years seemingly very doubtful; and it must have been, with many, a question on which side the accommodating virtue of loyalty would be found to fall. It ought to be recollected that an attachment to the Stuart race had not yet become a disgrace. But it was, in truth, the fault of Harley to be devoid of political affections. Like many of both parties, he only looked to his own interest, and desired to be prepared for whatever might fall out.

Mr St John, to whom Swift was at once introduced, compared with



Harley, was a person of far more brilliant powers, but inferior in good sense and virtue. A libertine as to morals, a latitudinarian as to principle, and a free-thinker on religious subjects, he was endowed with matchless eloquence, and a considerable mastery of the resources of intellectual power. He was a man of brilliant powers, of warm affections, and engaging manners. Like all who feel the proud consciousness of intellectual power, and the juster tastes to which it gives birth, he could, with the most fascinating ease, place himself on the same level with a companion whom he desired to win or for whom he felt a respect; and hence the spell which attracted and bound the heart of Swift. Profound as was Swift's sagacity, for which we do not think Sir Walter's expression, "the most keen and penetrating of mankind," too strong, his sincere and faithful regard for his friends blinded his perception of these defects; and notwithstanding the many things in his conduct which no biographer has satisfactorily explained, we are of opinion that the respect he seems to have retained throughout for this most unworthy person is the greatest mystery of all. Human affections are clinging in their nature, and when they have any reality, will survive respect—this is an infirmity of mankind, and not characteristic of the worst. But, in the latest portions of Swift's correspondence, the *prestige* of this splendid mountebank dwelt upon his understanding.

Such were the two great persons who occupy so large a space in Swift's life, and to whose friendship and confidence we believe him to have been fully admitted, notwithstanding the comment of Lord Orrery. On Lord Orrery's motives for a representation\* the tone of which is not friendly, we have not left ourselves space to dwell. Sir Walter Scott, speaking of Lord Orrery's remarks, says—"This is the language of one who felt that the adventitious distinctions of rank sunk before the genius of Swift; and who, though submitting to the degradation during the dean's life, in order to enjoy the honour of calling himself his friend, was not unwilling, after the death of that friend, to indemnify himself for the humiliation which he had sustained in the course of their intercourse." Of Swift's most peculiar and characteristic manner of asserting an independence, bordering on, and often transgressing, the limit of equality among his superiors in rank and station, we may offer some illustrations.

The following extracts are from his journal to Stella:—"Feb. 6, 1710.—Mr Harley desired me to dine with him again to-day, but I refused him; for I fell out with him yesterday, and will not see him again till he makes me amends." Feb. 7.—"I was, this morning, early with Mr Lewis, of the secretary's office, and saw a letter Mr Harley had sent him, desiring to be reconciled; but I was deaf to all entreaties. I have desired Lewis to go to him, and let him know that I expected farther satisfaction. If we let these great ministers pretend too much, there will be no governing them. He promises to make me easy, if I would but come and see him; but I won't, and he shall do it by message, or I will cast him off. I will tell you the cause of our quarrel when I see you and refer it to yourselves. In that he did

\* Orrery's Remarks on the Life of Swift.

something which he intended for a favour, and I have taken it quite otherwise, disliking both the thing and the manner, and it has heartily vexed me; and all I have said is truth, though it looks like jest; and absolutely refused to submit to his intended favour, and expect farther satisfaction."

In a subsequent part of the journal he acquaints Stella with the cause of the quarrel, which was the offer of a bank-note of fifty pounds.

He also refused the situation of chaplain, when offered to him by the same statesman.

"My Lord Oxford—by a second hand—proposed my being his chaplain, which I, by the second hand, excused. I will be no man's chaplain alive." \*

In his journal to Stella,—April 1, 1711,—he says, "I dined with the secretary, who seemed terribly down and melancholy, which Mr Prior and Lewis observed, as well as I perhaps; something has gone wrong—perhaps there is nothing in it."

April 3.—"I called at Mr Secretary's to see what the d—— ailed him on Sunday. I made him a very proper speech, told him I observed he was much out of temper, that I did not expect he would tell me the cause, but would be glad to see he was better. And one thing I warned him of, never to appear cold to me, for I would not be treated like a school-boy; that I had felt too much of that in my life already (meaning from Sir William Temple), that I expected every great minister who honoured me with his acquaintance, if he heard or saw anything to my disadvantage, would let me know in plain words, and not put me in pain to guess by the change or coldness of his countenance or behaviour, for it was what I would hardly bear from a crowned head. And I thought no subject's favour was worth it; and that I designed to let my Lord Keeper and Mr Harley know the same thing, that they might use me accordingly. He took all right; said I had reason; vowed nothing ailed him, but sitting up whole nights at business, and one night at drinking; would have had me to dine with him and Mrs Masham's brother, to make up matters, but I would not; I don't know, but I would not. But, indeed, I was engaged with my old friend, Rolliston; you never heard of him before."

Sir Walter quotes from a tract, which we have not seen, a most curious and graphic account of what he terms one of Swift's levees; he considers it as likely to be accurate enough, and if so, it is most valuable, as it leaves not a shade of doubt upon the extreme height to which he could be transported by his natural arrogance of temper. This extract describes him "charging Patrick, his footman, never to present any service; giving notice that all petitions to him be delivered to him on the knee; sitting to receive them like a Triton, in a scene of wreck, where, at one view, according to Patrick's fancy, in disposing of them you might have seen half-shirts, and shams, rowlers, decayed night-gowns, snuff swimming upon gruel, and bottles with candles stuck in them, ballads to be sung in the street, and speeches to be made from the throne; making rules of his own to distinguish

\* Swift's Works.

his company, which showed that he was greater than any of them himself. For if a lord in place came to his levee, he would say—"Prithee, lord, take away that damned ch—mb—r—p—t, and sit down." But if it were a commoner only, or an Irish lord, he would remove the implement himself, and perhaps ask pardon for the disorder of his room, swearing that he would send Patrick to the devil, if the dog did not seem to be willing to go to him himself."

While with Sir Walter we admit the general truth of this singular portraiture, we should observe that that is not unlikely to be the truth which belongs to a good caricature. But even a caricature has no effect when it represents nothing; we may fairly take this story with the statements of Swift himself, and consider all as illustrative of the towering pride of his nature. The concurrence of a great variety of statements, among which many are his own, seems to leave no evidence wanting of this. Its importance may excuse our extracting one more narration, which, though from one who was no admirer, has yet every claim to credit. It occurs in the diary of Bishop Kennet, and has been cited by most of Swift's biographers who have written since. "1713.—Dr Swift came into the coffee-house, and had a bow from everybody but me. When I came to the anti-chamber to wait before prayers, Dr Swift was the principal man of talk and business, and acted as a master of requests. He was soliciting the Earl of Arran to speak to his brother, the Duke of Ormonde, to get a chaplain's place established in the garrison of Hull for Mr Fiddes, a clergyman in that neighbourhood, who had lately been in jail, and had published sermons to pay fees. He was promising Mr Thorold to undertake with my lord treasurer that, according to his petition, he should obtain £200 per annum as minister of the English Church at Rotterdam. He stopped E. Gwynne, Esq., going in with the red bag to the queen, and told him aloud that he had something to say to him from my lord treasurer. He talked with the son of Mr Davenant to be sent abroad, and took out his pocket-book, and wrote down several things as *memoranda* to do for him. He turned to the fire and took out his gold watch, and telling him the time of the day, complained it was very late. A gentleman said 'he was too fast.' 'How can I help it,' said the doctor, 'if the courtiers give me a watch that won't go right.' Then he instructed a young nobleman that the best poet in England was Mr Pope (a Papist), who had begun a translation of Homer into English verse, for which he must have them all subscribe; for, says he, 'the author shall not begin to print till I have a thousand guineas for him.' Lord treasurer, after leaving the queen, came through the room, beckoning Dr Swift to follow him; both went off just before prayers."

On the subject of these narrations Scott offers several just and admirable reflections, which are not, however, directed to the same end for which we have here adduced them. Among other remarks, he observes the apparent inconsistency of a contempt for rank with the manner in which it was ostentatiously displayed, and infers (we think justly) a keen sense of the value of those advantages which he so strenuously affected to depreciate. While he affected to treat his superiors as equals, it is shown plainly enough that he would willingly



look down in contempt on the rest of mankind. And the fact seems additionally confirmed and illustrated, when we recall to mind the small claim to respect of many of the most respected of his patrons and patronesses at this period. It is evident that Lady Masham and her husband derived a lustre and dignity in his eyes from the reflection of the beams of royal favour; the same is plain in the case of Mrs Howard in a subsequent reign. Upon the *entire* of Swift's communication with courts and courtiers, the same sentiment of respect and jealousy is ever peeping out, like a purple vest concealed under the rags of a cynic. Scott adverts to an incident which we shall here present in Swift's own statement:—"I dined to-day with Mr Secretary St John; I went to the Court of Requests at noon, and sent Mr Harley into the house to call the secretary, to let him know I would not dine with him if he dined late."\* It is, indeed, plain enough that, however hard it may have been to deceive Swift in other matters, it was no difficult matter to fool him to the top of his bent in this. But pride itself, with all its overweening insolence and infirmity, undoubtedly bears a near relation to some of the highest of the social virtues. Swift's pride, however, was entirely founded on the importance which he attached to his intellectual power; there was in it nothing of that refined sentiment which consists in what is becoming and fit, which discerns on all occasions the most delicate claim to respect, and is prevented by self-respect from intrusion.

But Swift had in reality not overrated his importance—a species of importance not now very easily comprehended. The war of faction, in modern times, conducted through the full and overflowing channels of public discussion and the daily press, had then but one effective resource. The business of the newspapers was then mainly performed by tracts and pamphlets, which were anxiously looked for, and eagerly read. Under such conditions it may well be supposed that one possessed of the wit, satire, mastery of style, and political intelligence of Swift, was likely to feel confident of his hold on ministers who stood so much in need of him. It is but reasonable that he should set the just value on his abilities, and resolve to exact the fullest return. Nor can it be considerably said that his exaction was greater than the real importance of his services. A war had been undertaken to check the growing greatness and inordinate pretensions of the House of Bourbon; and the formidable encroachments of Louis XIV., which had already broken down and menaced entirely to destroy the balance of Europe, had been arrested by the victories of the allies under the command of Marlborough. Louis was beginning to be as anxious for peace as he had been ambitious of conquest. This anxiety was yet, however, tempered by his desire to retain as much and sacrifice as little as possible, and with this view attempts were made from time to time to set on foot a negotiation in which the English were sure to lose the advantages which they had gained in the field.

To carry the war to the successful termination which seemed now within the range of certainty, was unquestionably the most expedient and honourable course. It was also the interest of the Whigs, and,

\* Journal to Stella. February 1711.

above all, it was the interest of the Duke of Marlborough, whose avarice and grasping ambition afforded too ready a handle to his enemies.

To bring about a speedy peace, and to throw a character of unpopularity upon the war, and all who had been connected with it, was the interest and main policy of the Tory leaders. And Swift's pen was the principal weapon in their hands. In a succession of periodical papers and pamphlets, of the most consummate skill and dexterity, for which his materials were afforded from those official sources at the command of his employers, he strengthened his party with every argument that wit, sophistry, and sagacious insight could supply; and the effects of eloquence and argument were extended and heightened by talents of a more popular description, humour and satire, circulated in every form of prose or doggerel verse, that malice or invention could suggest.

The whole, or, at least, the greater part of those compositions are now to be found in his works. It will be enough here to describe the general outline of the view which he put forward. Putting out of view the great and necessary objects of the war, with the real importance of the advantages which had been gained, he dexterously presented the representation of a war carried on to preserve the interests and indicate the territorial rights of the allies, and in which the Dutch, who were to be the sole gainers, contrived to throw the entire burthen upon England; so that while they urged the English Government, as if England alone were the party concerned, beyond the stipulated supplies in money and men, they themselves fell short of these engagements. In treating this argument he did not fail to dwell upon the exactions and the insulting arrogance of the Dutch, and on their uniform assumption of superiority over England in all their treaties; with this he painted the internal suffering and financial exhaustion of England, in consequence of a war which led to no useful end, and which would have been long before happily ended, but for the avarice and private ambition of Marlborough, who, he insinuated, was the only gainer by the contest.

Those and such views, disseminated through numerous channels, effected a considerable change in the feelings of the people, ever sure, when successfully turned, to go on with mechanical acceleration in the direction of the force impressed. The ministers were in consequence enabled to assume by degrees a bolder tone, and the peace which they had so much at heart was concluded, after many negotiations, in which the anxiety they had betrayed was taken advantage of by the French, who would have been, in one more campaign, forced to submit to any terms.

During this anxious course of ministerial difficulty and intrigue, Swift gained an ascendancy due to the importance of his services. On his part, he laboured with the most unremitting zeal, and may well have felt that he had earned the right to be free and independent—whatever they could eventually give was not, he felt, more than he had earned. That such freedom as he insisted upon maintaining with the ministers who thus profited by his abilities was in any way accessory to the disappointment of his ambition, we do not believe; for such is



not the result which it would have had the effect of producing. All ranks and classes of men quickly conform to whatever convention they habitually act upon; and by admitting Swift to a level of confidential and familiar intimacy, a person endowed with his spirit and capacity soon filled the place of a friend and companion; those writers who have doubted the sincerity of this, have failed also to make due allowance for the influence of character. The claims of Swift were rather felt to rise than suffer any diminution from the privilege of intimacy, a truth perfectly understood by himself. His jealousy upon the subject of any offer of pecuniary reward did not, in fact, arise either from disinterestedness or friendship, but from his sense of the importance of not suffering the existence of any understanding which might interfere with such expectations as belonged to this position. Conscious of services which he was not likely to underrate, he took the position which most distinctly fixed the true rank of his pretensions, and felt that the assent of his patrons was the admission of his claim. He refused fifty pounds, but hoped for a bishoprick. That Harley and St John fully entered into the same view, there can be no doubt. But through the whole of this administration they laboured in vain to bring him into favour with Queen Anne.

During the first years of this intercourse, while the Tory administration was in its greatest strength, the life which Swift led in London was one of extreme and unceasing business and excitement, and more adapted to call forth all his powers and gratify all the ruling propensities of his nature, than any interval he had previously experienced, or was ever to know again. With the high prospects to which his aspiring temper looked, the friendship of the noble, and the favour of the powerful, which gratified his fierce self-importance, the regard and esteem of the most gifted men of his age, and the general admiration and respect of the large circle of acquaintances to which he was thus favourably introduced, it was fully as much as his time afforded to satisfy the pressing invitations of friendship, and the flattering importunities of the great men who needed his service and counsel. From his journal we can, through the whole time, with a precision not to be found in more important things, trace all his movements, and tell the distinguished or noble house where he dined or refused to dine. But on days of state consultation, when the measures of government were to be privately discussed, he seldom was absent from the lord treasurer's to meet there the trusty few. And from his note of these meetings, we learn how seldom anything of importance was transacted. Mr Harley was accused of being dilatory, and of suffering the interests of his party to be risked for want of promptness and attention to business: it is well ascertained that the defect was inherent in his constitution and habits; but at that time his fault was subservient to his purposes, as by that course of loitering policy he was endeavouring to maintain his own ascendancy in the cabinet. St John, while he exerted his whole energy upon those main lines of policy on which his party depended for power, had also his secrets. And whatever were the causes, Swift often found that he was himself the only person who seemed to be quite in earnest upon the business in hand. At first and for a time he was only a party to those affairs in which it was thought



necessary for him to make some representation to the public, and when it was indispensable that he should be furnished with facts and heads of argument and reply, or that his pamphlet should be discussed previously to its being published. And on these occasions his representation of the difficulty of bringing his great friends to a due hearing, reminds the reader of two pupils and their pedagogue, who is more willing to teach than they are to learn. By degrees, frequent consultations, and the necessary confidences attendant upon such, naturally extended his knowledge of state affairs, and at the same time increased his influence over the two statesmen whose confidence he had thus obtained. The dissensions which very quickly arose between these ministers much increased this influence: though ostensibly labouring for common interests, they soon began each to have a secret object of his own, and to move in different orbits round their common centre in Mrs Masham's closet. We shall further on have occasion to go into the detail of their animosities; it is here only necessary to observe, that in proportion as their mutual regard changed into enmity of the most rancorous kind, their common regard for Swift increased.

But though we see every reason to believe that Mr Harley omitted no opportunity to serve Swift's interests at court, nothing seemed likely to be effected in his favour; the queen was prejudiced against him beyond the powers of any effort of entreaty. This discouraging circumstance was also the means of largely increasing his influence with the minister; other compliances were thought due to so useful an ally whom they found it too difficult to reward in his own person; his requests in behalf of others were seldom refused, and he was thus enabled to exercise the patronage of the crown for the benefit of his friends, and the advantage of literary men and deserving persons of every class and party.

Such is the general description of Swift's position during this important interval of his life. In habits of intimate and friendly intercourse with a large circle who were distinguished for wit and literature, or who were of political importance in the Tory ranks; with the ministers he possessed a confidence, which, though it belonged in some measure to the mode then employed by administrations, was yet unparalleled in degree. Elated with this double importance and the flatteries which attended upon it, and arrogant by his nature, he assumed a tone of dictatorial and often insolent superiority, such as has been graphically described in some of the extracts which we have already given, and which equally manifests itself from beginning to end of his journal, though of course in the more mild and subdued tone belonging to such a record. In the excitement of a flattering circle, a vain man is not fully conscious of the airs and graces of self-importance; but when he *speaks* of his own feelings, his language is subdued and chastened by his judgment and taste, and all that would offend is softened down into remoter intimations and more moderate tone. Yet in the perusal of this journal an impression grows upon the reader which is not much increased by the most extravagant of the foregoing anecdotes.

Among the friendships which he now formed many were those whom his influence was instrumental to serve; of some he laid the first found-

dation of their fortunes, for others he obtained relief from distress. Pope was at that time emerging into notice, and was indebted to his active and spirited exertions for a large increase to the subscribers for his translation of the *Iliad* then in progress. With Addison and Steele he had formed an earlier intimacy during his intercourse with the Whigs: his alliance with the Tories, and the prominent part he took, now very much tended to alienate them from him. Addison was offended by the political infidelity of his friend, and these sentiments were increased by the extreme virulence and animosity, as well as the personal rancour, with which Swift attacked those whom a little before he had professed to regard and follow. He did not perhaps think much allowance due to Swift's complaints of the neglect and insincerity of those great men, which was his real motive for turning against them, or for his High Church principles which was his justification in his own eyes. And as Swift must have fallen in his esteem, a coolness was likely to arise—their meetings must have been embarrassed by the sense that there were subjects to be avoided on which they had ever been free, and that their common friendships and enmities had become inverted, so that no one could be praised or censured, or indeed mentioned between them, without a difference of opinion. Addison, little as he must have thought of the consistency or political integrity of his friend, yet saw his valuable qualities, his generosity, affection, and his vast and unrivalled powers, and not having himself much party fervour, avoided coming to any open or decided breach with him. With this feeling, perhaps, it was that he gave up the *Whig Examiner*, upon Swift's undertaking the Tory paper of the same name, which previously ran to thirteen numbers, and was continued by him from the 2d November 1710 to June 14, 1711. The reflection with which Swift's first paper commences appears to have been suggested by some sense of the probable consequences on the feeling of his friends. By his change to the Tory party he made, however, some valuable friends, and some of whom it is not easy to understand the value, farther than as they might be supposed to offer some immediate prospect of advantage. Among the first may be reckoned Arbuthnot and Atterbury, among the latter the Mashams. Prior was at the time in the employment of his patrons; Parnell he was the means of relieving from embarrassment; Dr Freind and Dr King were principal Tory writers, and had both preceded him in the *Examiner*. The illustrious dramatist Congreve, though a staunch Whig, was protected by Swift from the deprivation of his post. Berkeley was indebted to him for those favourable introductions which eventually led to his advancement.

There is perhaps nothing which may set his real importance in a more strong light than the club which was during these eventful years formed by his means among some of the higher Tories, consisting of Lords Oxford, Bolingbroke, Ormonde, Orrery, and other lords and commoners, who were the principal supporters of the ministers to the number of nineteen; they adopted the title and style of brethren, and met once a fortnight at a dinner provided by some one of the party. Among these Swift himself was not the least important, and as may be easily supposed, the most in earnest and authoritative; of this the fol-



lowing extract from his journal gives a curious illustration :—"I walked before dinner in the Mall a good while with Lord Arran and Lord Dupplin, two of my brothers, and then we went to dinner, where the Duke of Beaufort was our president. We were but eleven to-day. We are now in all nine lords and ten commoners. The Duke of Beaufort had the confidence to propose his brother-in-law, the Earl of Danby, to be a member, but I opposed it so warmly that it was waived. Danby is not above twenty, and we will have no more boys, and we want but two to make up our number. I stayed till eight, and then we all went away soberly. The Duke of Ormonde's treat last week cost £20, though it was only four dishes, and four without a dessert, and I bespoke it in order to be cheap, yet I could not prevail to change the house. Lord-treasurer is in a rage with us for being so extravagant; and the wine was not reckoned good neither, for that is always brought by him that is president. Lord Orrery is to be president next week; I will see whether it cannot be cheaper, or else we will leave the house." The details concerning this union may be found throughout the journal, in which he not only speaks of the members as brothers, but carries the fanciful tie into all its consequences, mentioning their children as his nephews, &c. Nor is it less amusing to find him protesting against the increase of their number, and in one instance exerting himself against the admission of a nobleman of high rank.

Among the acquaintances whom he chiefly cultivated at this period, there were none who exercised a more strong or dangerous influence over his real affections than one of which he did not, it is probable, himself fully estimate the power. Hurried as he was among the current of earnest, laborious, and absorbing interests and expectations which belonged to the position which he held, his moments of relaxation were soothed and rendered cheerful by that species of companionship which had of all others the most attraction for him—that of a young girl of considerable spirit and talent, who seemed fully to appreciate his wit and the charm of his tongue, and to manifest all the signs of the liveliest admiration of his person. As he was at this time advanced to his forty-fourth year, this preference had the most irresistible claim upon his vanity. All that we have said with reference to his first attachments may, with little modification, be applied to this. It was without any express design that he now entered upon the task of forming Miss Esther Vanhomrigh's mind, as he in former years had undertaken the improvement of the not less unfortunate Miss Johnson; and it was doubtless by the same imperceptible transitions that familiarity stole into attachment. There were some differences—Swift was always cautious, he was now grown doubly so—but Miss Vanhomrigh was far more impressible and passionate than Stella; a little friendly rebuke, not very strongly expressed, or very sincerely intended, had only the effect of kindling her fervid temperament, and on her part a violent attachment was formed, which only ended with her life. Such is the outline of a course of intimacy which occupied more of Swift's leisure than is at first sight very apparent. In his journals to Stella, in which he never fails to mention the place where he dines, Miss Vanhomrigh's house frequently occurs in a manner which indicates the close and almost domestic intimacy, yet at the



same time so slightly and so much like an incidental occurrence, or a *pis aller* when other engagements failed, that the continual recurrence of the same slight intimation must have soon suggested a cause to the jealous acuteness of Stella, and the more, as there were not wanting occasional incidents expressive of very close and intimate ties of some kind, which a knowledge of the writer might not find it difficult to interpret.

During the whole of this interval between 1710, and the time of his preferment in 1713, there can be no reasonable doubt that one main object must have been present to the mind of Swift. Considering either his character or the rightful expectation due to his labours, or the professed regard of the ministers, his hopes must have been kept in a state of earnest activity. As the time went on, and added to these grounds of expectation, his anxiety increased, and many slight circumstances were discernible by his close and keen insight, which must have awakened uneasy reflections on the uncertainty of party ascendancy, and on the possibility of his great and laborious exertions being not merely lost, but leaving him to the mercy of a host of enemies. At first, he might with some complacency have assumed the part of disinterested friendship or patriotism, without the fear of being taken at his word; and there can be no doubt that he occasionally received such intimations, as must have quieted his anxiety, and led him on in the confidence which his opinion of the truth of his patrons was calculated to inspire. In conformity with these suggestions, we find him at first, in several letters to his correspondents, assuming the tone of indifference and of disinterestedness, and after a time expressing himself in the language of disappointment. He occasionally, too, remonstrates with his patrons, yet still rather assuming the tone of one who felt that derogatory imputations must arise from their neglect, than of one very solicitous in his own interests,—a sentiment which doubtless he must have also felt. When they called him “Jonathan” and “brother Jonathan,” he now began to hint that he supposed they would leave him “Jonathan as they found him.” In his journal to Stella, he speaks cautiously in terms, but significantly enough, and tells her that he hopes his labours will “turn to some account,” by which, he adds, “I would make M D [Stella herself] and me easy, and I never desired more.” This, by the way, is one of those expressions to which we have generally referred as helping to govern our construction of the understanding between himself and Stella. Again he mentions—“I have been promised enough,” and after, “to return without some mark of distinction would look extremely little, and I would likewise gladly be somewhat richer than I am.” We should also infer as to the quantum of his expectations, that he did not desire to accept of a mere living,—as he mentions that he was given to understand that he could have one whenever he pleased from the Lord-keeper. It may, therefore, be not without foundation concluded that he set his mind upon a bishopric, and that his friends said nothing to lower such a hope.

Whatever may have been the amount of their promises or his expectations, an incident, in the beginning of 1713, served to cast a more precise and less encouraging light upon his prospect. The bishopric of Hereford became vacant, and offered a fair trial of the truth or

power of his friends. That it was their sincere desire to obtain this preferment for him, is not to be doubted, and is the conclusion of Sir Walter, who infers it from the coincidence of different notices which, though vague in point of expression, can yet be referred to nothing else. A letter from Bolingbroke, which seems to imply some previous communication, begins thus :—

*“Thursday morning, two o’clock, Jan. 5, 1712–13.*

“Though I have not seen, yet I did not fail to write to Lord-treasurer. *Non tua res agitur*, dear Jonathan. It is the Treasurer’s cause, it is my cause, it is every man’s cause, who is embarked on our bottom,” &c.

In a note on this letter, Sir Walter observes—“About this time it would seem that Swift was soliciting some preferment, and also that he thought the Lord-treasurer negligent of his interest.” This remark was probably made in the body of Swift’s works (vol. xvi p. 44), before the writer had formed the specific inference, from which he quotes in the introductory memoir. Both inferences are however valuable, and may be combined in the assumption, that Swift had put in his claims to the See of Herefordshire,—the “foregone” conclusion to which this letter seems to point. It is just to mention that in one of his journals of nearly the same date, Swift says—“I did not write to Dr Coghill that I would have nothing in Ireland, but that I was soliciting nothing anywhere, and that is true;” but such a fact merely amounts to the very common evasion of those who desire to conceal the precise state of their affairs from strangers. There was a settled understanding which rendered direct applications superfluous, and Swift’s adroitness could well seize on all occasions to spur the good-will of his friends, without being importunate. This journal occurs in January 24th, 1713, and is dated one day earlier than that of Lord Bolingbroke, already cited. The vacancy of the bishopric is likely to have occurred long after the letter to Dr Coghill.

There seems to be no doubt that Mr Harley immediately applied to the queen, whose prejudices against Swift led her to refuse; but it is related that she was induced, by the earnest solicitations of Swift’s friends in court, to comply against her own inclination. But Swift had a powerful enemy at court; he had given mortal offence to the Duchess of Somerset, who at this time held divided influence with Mrs Masham over the royal favour, and she is supposed, through the entire interval of his sojourn in England, to have been the main impediment to his making any way at court. She now interposed her entire weight, and used every effort of suggestion and entreaty, to persuade the queen to retract. The effort was successful, and from this time it is not difficult to perceive the effect of disappointment in Swift’s demeanour and communications. The history of this enmity, and of the manner in which it was shown in this instance, deserve a more particular detail. About two years before, Swift and his friends were alarmed by the influence which this duchess appeared to be acquiring at court; she was not amicably inclined to themselves, or to their party, and had been in fact advanced by the queen with a view to balance the influence of the Tory favourite, through whom she

feared being again reduced to the species of thralldom which she had already escaped from. Swift had the indiscretion to think of opposing this by ridicule, and wrote *The Windsor Prophecy*, in which he reproaches her with connivance at the murder of her former husband,\* and ridicules her for having red hair. "It may be doubted," writes Sir Walter, "which imputation she accounted the most cruel insult, especially since the first charge was undeniable, and the second only arose from the malice of the poet." To a court lady of that period, the vindictive recollections, *memores iræ*, of personal disparagement would be wronged by the comparison. The "prophecy" was printed, and on the eve of publication, when it was stayed by the earnest remonstrances of Mrs Masham, who better understood the effect which it would have. The impression was, however, brought to the club of brothers, and each took twelve copies for distribution, so that a circulation of nearly 200 copies, in the most public circles, must have had all the effects of a publication. The consequence is depicted by Scott in his peculiar manner. From this time, by the effects of the enmity he had thus raised, "he remained stationary, like a champion in a tale of knight-errantry, when, having surmounted all apparent difficulties, an invisible, but irresistible force prevents him from the full accomplishment of the adventure." And Swift, fourteen years after, in a letter to Mr Tickel, adverts to it in a manner which tends to confirm this account; it "shows how indiscreet it is to leave any one master of what cannot without the least consequence be shown to the world. Folly, malice, negligence, and the incontinence of keeping secrets (for which we want a word), ought to caution men to keep the key of their cabinets."†

As we have already mentioned, the growing insecurity of an administration, in which the most bitter enmity and distrust had been for a long time gathering in secret, could not fail to be known to so clear and vigilant an observer, so intimate with the parties; and his assumed tone of dignified independence was compelled at last to give way to the more sincere anxiety, which he had so well suppressed. The reverse to which he might be exposed by the casualty of a day, was too alarming to one who had assumed so high a style of conduct and bearing. "I will contract," he says, "no more enemies; at least I will not imbecille worse those I have already, till I have got under shelter, and the ministers know my resolution." Of Lord Oxford he writes—"He chides me if I stay away but two days together—what will this come to? Nothing. My grandmother used to say,

"More of your lining,  
Less of your dining."

At last three English deaneries became vacant, and Swift justly regarded the occurrence as offering a conclusive test of the ability of his friends to provide for him. It was on the 13th of April, that Swift received the intelligence from his friend Mr Lewis, of which the whole

\* She was daughter and sole heiress to the Earl of Northumberland. She was first married to Lord Ogle, and next to Mr Thynne, who was murdered by Count Coningsmark's instigation, with the design to obtain her hand.

† Swift's Works, xix. 356, ed. 1814.



purport, with his reflections upon the occasion, may best be told in his own language. "This morning, my friend Mr Lewis came to me, and showed me an order for a warrant for three deaneries; but none of them to me. This was what I always foresaw, and received the notice of it better than he expected. I bid Mr Lewis tell my Lord-treasurer, that I take nothing ill of him, but his not giving me timely notice, as he promised to do, if he found the queen would do nothing for me. At noon, Lord-treasurer hearing I was in Mr Lewis' office, came to me, and said many things too long to repeat. I told him I had nothing to do, but to go to Ireland immediately; for I could not with any reputation, stay longer here, unless I had something honourable immediately given to me. We dined together at the Duke of Ormonde's. He then told me he had stopped the warrants for the deans, that what was done for me, might be at the same time, and he hoped to compass it to-night; but I believe him not. I told the Duke of Ormonde my intentions. He is content Sterne should be a bishop, and I have St Patrick's."\* As this entire passage was written on the evening of the very conversation to which it adverts, we can with certainty infer that the plan here mentioned was first proposed at this meeting. It is also evident, from the following part of the same entry, that Swift was in some measure disappointed by the arrangement, which, instead of advancing him to one of the English deaneries, transferred him to Ireland, and at the same time made a distinction not very gratifying to his pride, by the promotion of Sterne,† whom he very wrongfully considered to have treated him with some slight, and to have inferior claims. The plan was perhaps mainly the suggestion of Harley. The duke had himself some objections which he afterwards waived in behalf of Swift. The point was, however, still to be settled with the queen, and in the interim every expression which Swift has left is such as to indicate affected equanimity and inexpressible impatience. On the next day he writes to say, that he would leave that end of the city (where he lodged to be near the court), as soon as the warrants of the deaneries should come out; and adds, "Lord-treasurer told Mr Lewis that it should be determined to-night; and so he will say a hundred nights," concluding with his plan of travelling on foot to Chester, on his way home. The following day he writes—"Lord Bolingbroke made me dine with him to-day; I was as good company as ever; and told me the queen would determine something for me to-night. The dispute is Windsor or St Patrick's. I told him I would not stay for their disputes, and he thought I was in the right." This extract strongly indicates a state of mind bordering on exasperation, and it also dimly shows, what we are inclined to believe, that nothing would be more satisfactory to the subtle hypocrite with whom this conversation occurred, than Swift's going off in a fit of childish petulance, as it would be the best means of effecting a breach between him and Lord Oxford, and securing his powerful alliance for himself, in the collision for which he was then

\* Journal to Stella.

† Sterne had been on terms of the most friendly intimacy with him up to the time of his departure for England, and had but a very little before made him an offer of his purse through Stella, which Swift scarcely condescended to acknowledge. (See Journal.)

preparing the way. The whole narration of the intervening days is equally full of significance; but we pass to the 18th, when the question was decided. From the remarks which dropped from Swift on this occasion, we shall only add one very expressive of the nature and form of his expectations—"Neither can I feel joy at passing my days in Ireland; and I confess I thought the ministry would not let me go."\* After all appeared settled the Duke of Ormonde objected to the promotion of Dr Sterne; with him Swift then exerted his powers of persuasion, and the duke, who perhaps desired no more than to place him under some obligation, consented.—On the 23d all the warrants were signed, and Swift was placed beyond the suspense which had tortured him through the interval; for as Scott, in a note on this part of his journal, observes, that he had become at this time fully aware of the mortal enmity he had provoked.

The remaining incidents are unimportant. He was annoyed to find that heavy deductions were to be made between the claims of Dr Sterne and the deanery house, the first-fruits and the patent, in all amounting to a thousand pounds. We have only here to add, that in the short interval between this preferment and his departure for Ireland, Lord Oxford and Mrs Masham made another strenuous but unsuccessful effort to obtain something more suited to his expectations. The fact was denied by the insidious Bolingbroke, whose authority we should receive with many scruples, and whose dislike for Oxford amounted to perfect hatred. We shall have quickly to return to the differences between these rival politicians, and the circumstances which attended the decline of their power; these, though to some extent interwoven with the incidents of previous transactions, we have reserved for a short statement.

After a long and wearisome journey Swift arrived in Ireland. There are different statements as to his reception, which Lord Orrery mentions as unfavourable in the extreme, and is contradicted by Sheridan and Delany. We must refer the curious to their accounts; the first wrote in no kindly spirit, the others were his most attached friends; the truth is probably between them. Swift was certainly then unpopular; there was no class for whose dislike some reasons might not be given. With the Whigs he was an apostate; with the Dissenters a High Churchman; among the clergy, if any were spiritually minded, his character was marked by many obvious defects; to such, his libels, levity, grossness, haughtiness, and eccentricity, together with the public reputation of an ambitious and worldly disposition, would render his elevation unacceptable; among the crowd of ecclesiastical persons, mostly then composed of men of small understandings and moderate attainments, either in piety or knowledge, most would look with an eye of jealousy on the rapid elevation of the poor vicar of Laracor; for men of mean understanding are apt to be affected by a strong wish to think slightly of the powers which they do not possess, and cannot even fully comprehend; thus, if we could even venture to imagine such a thing as a bishop not very adequately provided with brains, there can be little doubt that he would look with supreme contempt on

\* Works, iii. 208. \*

a very clever curate, and feel highly scandalised if some inconsiderate minister should lift him above his humble level to a deanery.

But Swift met with far more legitimate dislike from those with whom his promotion brought him into contact. We have, we trust, dwelt long enough on his haughty and imposing manner, to enable the reader to feel at once how such a high and authoritative address as was become natural to him, would be likely to please persons over whom he came to claim authority, or to exact rights; the allowance of his superiors or friends, or the partiality of those whom his wit pleased, and his attentions flattered, might overlook much rudeness and petulance, which was not likely to meet the same tolerance from the prebends and official functionaries with whom he had now to cope; there is always a wide difference to be found between those who conceive themselves to be condescending to their acknowledged inferiors, and those who, in dealing with a haughty superior, have a little dignity of their own to support. Such a beginning was pregnant with annoyances, and Swift spent a harassing fortnight in arrangements connected with the entrance upon his new preferment, which he afterwards, in an epistle in imitation of Horace describes to his patron Lord Oxford.

—— all vexations,  
 Patents, instalments, abjurations,  
 First-fruits and tenths, and chapter treats,  
 Dues, payments, fees, demands, and cheats,  
 The wicked laity's contriving  
 To keep poor clergymen from thriving.

There is also some evidence of the public opinion at the same time existing, as to his merits, in a ballad which Scott quotes from the works of Jonathan Smedley, and mentions that it was fixed on the door of the cathedral on the day of his instalment.

“To-day, this temple gets a Dean,  
 Of parts and fame uncommon,  
 Used both to pray, and to profane—  
 To serve both God and mammon.

When Wharton reigned, a Whig he was;  
 When Pembroke, that's dispute, Sir;  
 In Oxford's time, what Oxford pleased,  
 Non-con, or Jack, or neuter.

This place he got by wit and rhyme,  
 And many, was most odd;  
 And might a bishop be in time,  
 Did he believe in God.”

&c.

&c.

To these vexations Swift opposed a haughty and scornful front of resistance, and provoked a strong spirit of opposition in the chapter, who were joined by the Archbishop of Dublin. He was thus thwarted and baffled in many of the arrangements which he endeavoured to make for the promotion of his friends. After a fortnight thus spent, he retired with feelings of gloom and dissatisfaction to Laracor, from which place he wrote to Miss Vanhomrigh—“I stayed but a fortnight



in Dublin, very sick, and returned not one visit of a hundred that were made me; but all to the dean, and none to the doctor. I am hiding here for life, and I think I am something better. I hate the thoughts of Dublin, and prefer a field-bed and an earthen floor before the great house there which they say is mine.\* In the same letter he mentions, "I design to pass the greatest part of the time I stay in Ireland, here in the cabin where I am now writing; neither will I leave the kingdom till I am sent for, and if they have no further service for me, I will never see England again. At my first coming, I thought I should have died with discontent, and was horribly melancholy while they were installing me; but it begins to wear off and change to dullness." The dean retained Laracor and Rathbeggan, which he had at first some intention of resigning, and also designed to recommend Dr Raymond as his successor. Upon a nearer view, however, and under the influence it may be supposed, of the various exactions attendant on his promotion, he changed his purpose.

Among the numerous small vexations which depressed or disquieted his gloomy and irritable spirit, there was one which must have been deeply felt; he was inextricably entangled between two ladies, for each of whom he entertained a strong affection, and who both, as he was well aware, reckoned on him as a future husband. How such a sense must have corroded his better feelings, the reader can easily conceive; and it must be evident enough that the reunion with Stella must have been attended with feelings more nearly allied to remorse than satisfaction. Such meetings are the happiest incidents which human life affords; but Swift had abjured all the ways of peace, and the blessings of that home intercourse of affections which is the only infusion of sunshine upon the clouds and tedious trials of life.

In this gloomy retirement it was with joy that the dean received a summons from the Tory administration, many of the members and friends of which were urgent for his instant return to London, where the dissensions between Oxford and St John had arisen to a height which threatened to shake their party to the foundation.

We have already given a sketch of the character of Swift's two great friends, so far as was necessary to possess the reader with a more full sense of his remarkable progress in their regards. We must now revert to the consideration of their several histories, and of their mutual intimacy and opposition, as best explaining much of the following events which we are obliged to notice. Mr Harley (at this time the Earl of Oxford) had been bred a dissenter, and had first attained notice under the auspices of the Whigs; and after having filled the office of speaker in the House of Commons, was made secretary of state by the Duke of Marlborough. He was, however, soon found to be an unsafe and perfidious ally, and as the underhand intrigues which he carried on with the Tories could not long escape the penetration of his own party, he was dismissed from office; on which he went over to the Tories. At that time he was deeply engaged in that system of practising upon the feebleness and the resentments of the queen, by a secret intercourse contrived between himself and Mrs Masham, which

\* Letter dated Laracor, 8th July 1713, Works, vol. xix. p. 410.

was in the course of a little time, and with the help of circumstances which we have already mentioned, the means for bringing in that party, with himself at its head.

Mr St John may here be briefly described as the *élève* of Harley, and as the companion of the conduct and changes here described. Like him he was bred up among the dissenters; like him he availed himself of their influence, and turned against them when they had served his purpose; like him he was moderate in his party feelings, because he was like him devoid of sterling principle; and he followed his steps through the crooked ways that led to court favour and political power. But here the parallel ends. Mr Harley had been designed by nature to ornament private life, and to be the companion or patron of men of genius and virtue. Circumstances had led him into unclean paths, where he degenerated into an intriguer and a courtier, and rose to power by the only means available to mediocrity. His vices were as moderate as his virtues, and those virtues had in them a reality; his small craft and political meanness were set off by social affections; and even in his selfish aims, there were lengths at which he felt himself checked by the very principles which he had overlooked; there were some lengths in profligacy to which he was reluctant to go. He still would keep within the bounds of self-justification, which must indeed be admitted to be pretty spacious. St John was from the beginning indifferent to all human considerations, but the attainment of that advancement which his vast and splendid capabilities entitled him to expect. His principles, his opinions and rules of conduct, his virtues and vices, demand no refined analysis to appreciate their respective measure, or their mutual relation; he was a thorough profligate, and alike devoid of private or public virtues. We need not take the trouble to weigh some indications of kindly feeling toward Swift and Pope, or his French wife, to whom we believe he was not unkind. He respected wit and genius, which it was his interest to have on his side; he was not without some animal affection for those whom he thought fit to cultivate; and this is allowance enough. Within our own times he has been made the theme of some very severe invectives, in the full sense of which we believe all right-minded persons agree, and also of some panegyric, of which we have been unable to apprehend any foundation in reality, unless great and powerful abilities can be allowed to obtain the respect only due to superior goodness; of his powers we have already said enough. Having been mainly introduced to public life, under the countenance of Mr Harley, he quickly became distinguished by powers far superior to his master, and having been mainly instrumental in the conclusion of a dishonourable treaty, which was more conformable to the interest of his party than to the honour of England, he began to feel that he might take an independent course, and supplant Lord Oxford in the favour of Queen Anne and her waiting-women. This respectable ambition was additionally stimulated by motives full as worthy. When Lord Oxford obtained his earldom, St John put in his claim to a similar elevation; for this, neither the duration nor the amount of his services were felt to be adequate, and Lord Oxford would have refused, if he did not stand too much in need of his abilities, and in fear also of his fierce, intriguing, and vindictive dis-

position. The rank of a viscount rather seemed an admission than a satisfaction of his claim. His pride was irritated rather than appeased, and he was evidently roused to seek matter for additional discontent. Lord Oxford received the Order of the Garter; and as there were some further vacancies, Bolingbroke insisted on one. It was as a matter of course refused, and he at once gave way to his animosity. From this he pursued the design of overturning the administration of Lord Oxford, and obtaining the government of the cabinet into his own hands.

Such is a very general outline of the history of this ministry. Swift, who never was made privy to the private baseness of his friends, and who gave them credit for the ostensible motives, attributed their disagreements to motives and resentments far less deeply seated than the actual ones; in the short sketch which he has left of their quarrels, he assigns a rather slight occasion. After relating at some length the account of Guiscard's attempt to assassinate Mr Harley in the privy council, he writes—"I have some very good reasons to know that the first misunderstanding between Mr Harley and Mr St John, which afterwards had such unhappy consequences upon the public affairs, took its rise during the time that the former lay ill of his wounds, and his recovery doubtful. Mr St John affected to say in several companies 'that Guiscard intended the blow against him,' which, if it were true, the consequence must be that Mr St John had all the mint, while Mr Harley remained with nothing but the danger and the pain."\* Such insinuations must certainly have rankled in Mr Harley's mind, and not the less that they perhaps had some foundation in truth; but before this he had probably felt that St John was to be feared and distrusted, and distrust was no small portion of Mr Harley's genius. Swift, too, was long aware of the repulsion which operated between them, and he had experience of Mr St John's efforts to prejudice his rival with himself. The enmity which had long been partially suppressed by prudence, at last forced its way. Bolingbroke had completed the mine under his adversary's feet, and was prepared to fire the guilty train. Oxford felt the whole danger. Their friends, who knew nothing of the reality, attributed their quarrels to pique and temper. Swift had an intuition of the truth, but it was no more; he came over in the hope of effecting a reconciliation on the ground of mutual interest and common danger. It is supposed that his influence was at first successfully exerted; but we are disposed to think it was only because the crisis had not come,—they had yet some common points of interest, and their common enemies were watching them with unremitting vigilance. The scale of their destinies was suspended on the favour of the queen and Lady Masham. Swift brought them together, and exacted exterior courtesy, while he once more entered into the field of party politics and fought their battles with his usual spirit and effect. With this view he wrote several papers of great effect,—one of which contained an attack on the Scottish peers, so very offensive, that they took the matter up with considerable animosity, and the printer and bookseller were taken into custody. The bookseller declared his ignorance; the printer

\* Memoirs relating to the Change in the Queen's Ministry, Works, vol. iii. 251.



refused to answer. This latter was Mr John Barber, who afterwards became eminent as lord mayor of London, and is known by his long correspondence with Swift, which was continued through their lives, and is to be found in the published correspondence of Swift. Every one well knew who the real author was, and the implacable hate of Wharton took the occasion for revenge; he exclaimed that the house had no concern with these persons; that the only object was the discovery of the "villanous author," and proposed that the printer should be set free from the consequences of any self-crimination. This having been Mr Barber's plea, the finesse of Harley warded the well-aimed blow, by directing a prosecution, which of course disqualified Barber as an evidence. The Scottish peers, justly indignant at this frustration of their resentment, went up to the queen, headed by the Duke of Argyll, and demanded a proclamation for the discovery of the author; £300 were offered by the queen's command, and Swift was for some time in suspense and danger; he relied, however, on the fidelity of Barber, and the protection of Oxford. This minister indemnified the printer and bookseller with £150, sent through the hands of Swift himself.

As it is our anxious desire to preserve our limits, we shall here, as in the former interval, abstain from the detail of his political labours, which would demand copious digressions into English and continental history. His angry correspondence with Steele is to be found among the rest of his published correspondence; and as Steele is on our list, may be brought forward again to less disadvantage. Swift had also to contend with Bishop Burnet, whom he attacked in a paper, entitled a *Preface to the Bishop of Sarum's Introduction to the Third Volume of his History of the Reformation*. This is described by Sir Walter as an ironical attack, and as treating the bishop as one whom the author delights to insult. The description is substantially just, but the irony is not sustained through a single paragraph; the intent is evident enough; but Swift's eagerness to find fault and to fling imputation, quickly alter his purpose; the ridicule resembles that of a wit, who becomes angry and throws off the mask of playfulness, to exchange smart sayings for abuse.

In the meantime, there was a rapid progress of incident and event, which contributed to weaken the Tories, and to accelerate the disgrace of Lord Oxford. Many circumstances had contributed to propagate fears for the Protestant succession; the underhand negotiations of most of the Tory leaders, and even of some of the Whigs, with the Pretender, were too numerous to be quite concealed, and it would be difficult to prove beyond further question that these private intrigues were not countenanced by the queen. It is placed beyond doubt that both Oxford and Bolingbroke took part in them; the former cautiously and insincerely, and rather for his own security; the latter thoroughly and devotedly. Oxford, whose entire conduct was dilatory, and a perpetual observance of the wind of accident, was so far betrayed by appearances, that although he was by principle for the settlement, he not only transmitted his advice to the Pretender, but took some daring steps which contributed very materially to his own defeat. Of this nature was his motion, "for the further security of the Protestant succession, by making it high treason to bring any foreign troops into the

kingdom." The real drift of such a motion, unnecessary against the Pretender, and only efficient against friends to the succession, was at once detected; and the oversight was taken advantage of by Bolingbroke himself. The consequence of many such indications was, a large secession from the strength of the Tory party.

If Lord Oxford was thus weakened by the imputation of Jacobitish designs, he was not less so, by a more just accusation of the contrary disposition. It was early discovered by the emissaries and friends of the Pretender that he confined himself to vague promises, and that he no less kept up a secret understanding with the ministers of the Hanoverian court. He thus became an object of contempt and suspicion to every party. His conduct as to the schism act in which he sacrificed the interest of the dissenters, his only remaining friends, left him bare to the tempest of party enmity and scorn—he had the folly or the honesty to incur the enmity of Lady Masham, by refusing a grant of public money in her favour, and when there was no one to say a word for him, when his finesses were understood by all, when his delays, demurs, and hesitations, were traced to incapacity and want of purpose or honesty, when his obstinate reserve was recognised as jealousy of power and love of artifice, it was easy for his equally cunning, but far bolder and more able rival, to shake to dust the hollow structure of his favour.

But to Swift, the whole of this concatenation was not apparent: he was unacquainted with the private perfidy of Bolingbroke, or the doubling play and impotent finesse of Oxford: he saw their power was crumbling, and that it demanded vigour and union to make head against the leagued hostility of the Whigs, and those who were daily added to their ranks; and he saw, with feelings bordering on despair, the growing enmity of those on whose cordial understanding he considered all to be dependent. Under these circumstances, his conduct was generous, and as far disinterested as can be supposed, where his own interests were in point of fact involved. His friendship with his first patron increased with the decline of his power, and with the dangers by which he was surrounded: as he had not been servile in prosperity, so he was incapable of falling off in adversity. In vain Bolingbroke endeavoured by every art of insinuation to detach him from his friend, and to win him to his own service,—Swift would only understand what was honest, and laboured to promote a union which was already dissolved. A letter written many years after to Oxford's son and successor, gives an interesting account of the last effort which he made—it may serve here as a summary of the whole affair. He writes upon the subject of his history of the last four years of the queen, which introduces the following narrative:—"Your lordship must needs have known, that the history you mention of the last four years of the queen's reign was written at Windsor, just upon finishing the peace; at which time, your father and my Lord Bolingbroke had a misunderstanding with each other, that was attended with very bad consequences. When I came to Ireland to take this deanery (after the peace was made), I could not stay here above a fortnight, being recalled by a hundred letters to hasten back, and to use my endeavours in reconciling those ministers. I left them the history you mention.



which I had finished at Windsor, to the time of the peace. When I returned to England I found their quarrels and coldness increased. I laboured to reconcile them as much as I was able. I contrived to bring them to my Lord Masham's at St James's: my Lord and Lady Masham left us together. I expostulated with them both, but could not find any good consequences. I was to go to Windsor next day with my Lord-treasurer. I pretended I had business that prevented me, expecting they would come to some. . . . But I followed them to Windsor, where my Lord Bolingbroke told me that my scheme had come to nothing. Things went on at the same rate—they grew more estranged every day—my Lord-treasurer found his credit daily declining. In May, before the queen died, I had my last meeting with them at my Lord Masham's. He left us together; and therefore I spoke very freely to them both, and told them, 'I would retire, for I found all was gone.' Lord Bolingbroke whispered me, 'I was in the right;' your father said, 'all would do well.' I told him, 'that I would go to Oxford on Monday, since I found it was impossible to be of any use.' I took coach to Oxford on Monday, went to a friend in Berkshire, there stayed until the queen's death; and then to my station here, where I stayed twelve years. I never saw my lord your father afterwards."

Swift, according to his determination, left London on a visit to a friend, the Reverend Mr Gery, at Upper Letcombe, where he remained for some weeks, not perhaps without some hopes of being recalled by some favourable occasion, and filled with fears, anxieties, and expectations which, to some extent, may have rendered him insensible to the gloomy and monotonous frugality and seclusion of his host's abode. At no time, had his own prospects appeared to such advantage, or dressed in more hopeful array, than in the little interval that consigned him to Dublin and discontent for the remainder of his life. His friendship with Oxford had grown to the most perfect affection and even confidence to the fullest extent that Oxford's character admitted; and he was the counsellor of his private, as well as his public affairs. There could be, indeed, no doubt that if affairs were restored, and the queen's life continued, but that all the obstacles to his further promotion must have given way; as the first effort of Swift's friends would have been to reconcile him with the queen and her favourites. We should also have observed what Sir Walter mentions upon the most sufficient authority, that all the most important affairs of Ireland were entirely transacted according to his advice. But the tide of his prosperity was already on the ebb: a new conjunction of events and circumstances, most of which were already within the reach of conjecture, was fast approaching to consign the rest of his life to a voyage, "bound in shallows and in misery." He did not, however, know the full sum of evil circumstances which affected the prospects of his party; the real designs of Bolingbroke—the secret intrigues with the Pretender, in which all his principal friends were more or less involved—were yet secrets to him: he only was enabled to perceive dissensions and divisions which appeared still capable of being reconciled, only because he attributed them to causes more slight and transient in their nature than those from which they



actually proceeded. Ignorant of the deep and fatal mine which the perfidious Bolingbroke was actually on the point of exploding under the feet of Oxford's administration, he only saw the madness and folly of a disunion in which he perceived the ruin of their common party, and could not believe that they would be the fools to persist in so destructive an error. He also saw the rapidly rising influence of Bolingbroke; but not being aware of its real direction, he only looked upon him as the remaining stay and support of a declining cause: and thus indulging himself secretly in the hope of daily hearing that matters had assumed a more favourable turn, he flattered himself still with the expectation of being called to town to fight the battle of his party, and to receive the reward of his exertions. In the mean time, however, his best feelings were tormented by daily accounts of the actual course of affairs. The dissensions between his friends grew more virulent from day to day: their party was weakening by divisions, while the precarious condition of the queen's health gave a fatal importance to these discouraging symptoms. In the midst of all this darkness and dismay, the star of Bolingbroke alone seemed to increase in magnitude and light; and while his rival, Oxford, grew more dilatory and despised, he appeared to advance in favour and influence, and to grow in vigour and promptitude. The struggle between them was not at this time many days protracted: while Swift was thus oscillating between hope and fear, and waiting the event of circumstances, he received the afflicting intelligence that his friend Lord Oxford was insulted by the queen and Lady Masham, and compelled to resign. "On the next day," Mr Lewis writes to Swift, "the queen has told all the lords the reasons of her parting with him; that he neglected all business; that he was very seldom to be understood; that when he did explain himself, she could not depend on the truth of what he said; that he never came to her at the time she appointed; that he often came drunk; lastly, to crown all, that he behaved himself towards her with bad manners, indecency, and disrespect."\* On the night of the 27th, a cabinet council was held, to settle who were to be the commissioners for the treasury—the queen and Lady Masham having, it is supposed, formed the scheme of governing for the future without a minister, a plan encouraged by Bolingbroke, who would thus have the real control of everything. The council could not agree, and the discussion was carried on with such violence till a late hour of the night, that the queen's head became affected with a complaint which terminated her life in a few days. In this interval, Bolingbroke's activity was not asleep; and he entered with the vigour and talent of his character into measures which, if the queen should but have held out only a few weeks, would in all probability have restored the Stuart line. His plan for a ministry was as follows: he was himself to retain the seals, to continue secretary for foreign affairs, and put the treasury in commission; a set of known Jacobites were to fill the other cabinet offices,—the Duke of Ormonde and Buckingham, Atterbury, Lord Harcourt, and the Earl of Mar, all of whom he hoped to find subservient to his aims, and who were deeply engaged in the same plot which

\* Swift's Works, vol. xvi. 191.

was the main end of his entire policy. During the few days which he continued in office, he showed an activity and address which would soon perhaps have put the expectations of the Jacobites in a prosperous train. Among other acts, he at once obtained for Swift the order for a thousand pounds, about which Lord Oxford had trifled so long. He was most eager in his efforts to bring back to town the most able of his supporters; and the most pressing but seemingly undesigning letters from him, appear among those which poured in at this time on the dean's retreat at Letcombe. But an unseen arm was raised already to dash all those cobwebs of state policy: the queen was on her deathbed; and some extracts from these letters may show the anxious working of the breasts of those about her, and throw some added light on those topics on which we have too slightly and superficially glanced. On the 29th of July, Lady Masham wrote a letter to the dean, in which she says of Lord Oxford, "I was resolved to stay till I could tell you the queen had got so far the better of the dragon [Lord Oxford], as to take her power out of his hands. He has been the most ungrateful man to her, and to all his best friends, that ever was born. I cannot have so much time now to write all my mind, because my dear mistress is not well, and I think I may lay her illness to the charge of the treasurer, who for three weeks together was teasing and vexing her without intermission, and she could not get rid of him till Tuesday last" [the 27th]. She then remonstrates against his expressed intention of returning to Ireland, and adds, "I know you take delight to help the distressed, and there cannot be a greater object than this good lady, who deserves pity. Pray, dear friend, stay here, and do not believe us all to throw away good advice, and despise everybody's understanding, but their own," &c. Among these letters there are some from Mr Lewis, who appears to have formed a more just estimate of the conduct of the persons chiefly concerned, than most of the other correspondents: he speaks with affection and tenderness of Lord Oxford, while he sees the entire littleness of his conduct, and mentions that he had offered to serve on any terms, and that he had met the insults of the different classes of low people about the queen with fawning servility; adding in one place his conviction that his intellect was gone—"I have long thought his parts decayed, and am more of that opinion than ever."\* He also, a little after, shows the impartiality of his judgment in speaking of his rival—"But sure the earth has not produced such monsters as Mercurialis [Bolingbroke]." On the 31st, letters came informing Swift of the queen's death, and the successive accounts followed of all the numerous and minute circumstances of the break-up that followed. It is impossible for us to enter on this detail so as to preserve the almost romantic interest of the crisis; for such it was. The whole of the real movements of the late administration had been to favour the Pretender—the most active of the Jacobite party had been in the possession of the whole efficient powers of the realm—the queen was not disinclined to the promotion of the same objects, but simply endeavoured to keep her own conscience free by a little flimsy

\* Swift's Works, xvi. 195.

self-disguise—the best affected of the Hanoverian party had no direct power of interference; and many who might have exerted a salutary influence were rendered so doubtful of the issue of events, that some were repressed by fear of being involved in the uncertain result, and some endeavoured to make friends of both sides. The death of Anne was the moment of decision: though the whole feeling of the nation was for the Settlement, the Jacobite party were up in array, and at their posts—a feather might have turned the scale.

But happily the recent struggle in the very bosom of the Tories had spread doubt and disunion among them. Suspicions of the truth had sprung up, and as Jacobitism was only the disease and not the element of that party, the tainted portion found itself in a measure severed from the sound; the Jacobites could not rely on the ranks in the strength of which they had prospered. The leading Whigs had been on the watch—they were men of ability, and their decision and promptitude prevailed. It does not belong to our present purpose to describe how the Jacobite leaders met, unprepared for the emergency for which they had long been laying their trains; how some doubted and some recoiled, and none, in their first surprise, knew what to do; or how, before they had time to look round and avail themselves of their position, the Whig leaders stepped in, and by one bold and decided move, which none had the courage to gainsay, took the reins out of the hesitating hands of Bolingbroke and his faction; and gave the word to which the whole nation responded with a readiness which silenced the meditated treason. The perusal of the correspondence, published as an appendix to Lord Mahon's history, has decided all the opinions which we have expressed as to the baseness and dishonesty of every one of the Tory ministry. And those writers who have asserted that Swift was never entirely in their confidence, though it was invidiously said, and with something of a different intent, are after all no more than just. While his writings clearly establish his claim to a thorough acquaintance with all that concerned those measures of administration on which the Tory policy rested as its basis, the ministers had individually an internal system of motives and designs connected with their private hopes and aims, which they strictly concealed from one whom they knew too well, to hope that he would countenance an undisguised departure from the most common principles of political honesty.

One circumstance must not be here omitted. During the brief interval of Bolingbroke's triumph, while he was soliciting the return of Swift to London, and opening new hopes of promotion to tempt him to come to his assistance, the genuineness of Swift's friendship, and the independence of his spirit, were shown to great advantage. He had sent up a pamphlet, designed for the service of the tottering administration, to Barber—this Lord Bolingbroke obtained possession of, and unceremoniously proceeded to retouch it for his own special purposes; but on hearing the circumstance, Swift peremptorily insisted on the return of the manuscript. In the same trying moment, when ambition and Bolingbroke were inviting him again into that field where all his hopes yet lay, he received a letter from his friend the fallen Oxford, inviting him to “fling away some on one who loves



you ;" Swift without hesitation chose the nobler and less alluring track, and immediately prepared to follow his friend into his retirement. The events which followed thickly upon each other, interrupted his intention, and consigned his unfortunate patron to the tower, where he continued till he was released by another turn among the currents of political faction.

We may now follow Swift into Ireland, and trace his conduct in scenes of a very different kind. Ignorant of the extent to which his friends had really implicated themselves, he urged them up to the fatal breach, and offered to stand forward boldly in their cause. As Dr Arbuthnot, who better knew their real condition observed, "Dean Swift keeps up his noble spirit; and, though like a man knocked down, you may still behold him with a stern countenance, and aiming a blow at his adversaries."

In Dublin he had now to face a heavy storm of insult, menace, and persecution. The Whigs had completed the overthrow of their opponents by a sweeping imputation of Jacobitism, and the followers were involved in the disgrace of their leaders. The nearest friend and adviser of Oxford who was imprisoned on such a charge, and of Bolingbroke, a fugitive and delinquent confessed, could not but be looked on by the Irish Whigs with horror and suspicion. In Ireland, from the frequency with which the worst results of disaffection had been made familiar, the fears and jealousies of party ever took a more active and excited form. The same events which in England might have but changed a set of men, in Ireland would have deluged the country with massacre; and hence the violence of the Irish Protestants—with them, it was not an affair of policy, but of personal safety and property. In Ireland political sentiments were always liable to be carried to the most violent extremes of personal animosity. It was enough that he came over with the suspicion of a leaning to the Pretender, to render, Swift the object of dislike and animosity. He could only be seen as the friend of Bolingbroke, who had thrown off all reserve and resigned himself to the Stuart schemes, with a publicity that showed an utter disregard of the safety of those friends he had left in these kingdoms. All the resources of libel and calumny were now exhausted on the dean—his enemies took the occasion to insult him in the streets—his former friends deserted him. It will be, if not the most concise at least the most interesting way of exemplifying these circumstances, to offer an instance which may be given in his own language, being a petition which he made to the House of Lords, upon a most wanton insult from Lord Blaney.

"The humble Petition of Jonathan Swift, D.D., and Dean of the Cathedral of St Patrick, Dublin,

*"Most humbly sheweth,*

"That your petitioner is advised by his physicians, on account of his health, to go often on horseback; and there being no place in winter so convenient for riding as the strand toward Howth, your petitioner takes all opportunities that his business or the weather will permit, to take that road: That in the last session of Parliament, in the midst of winter, as your petitioner was returning from Howth, with his

two servants, one before and the other behind him, he was pursued by two gentlemen in a chaise, drawn by two high-mettled horses in so violent a manner, that his servant, who rode behind him, was forced to give way, with the utmost peril of his life; whereupon your petitioner made what speed he could, riding to right and left above fifty yards, to the full extent of the road; but the two gentlemen driving a light chaise, drawn by fleet horses, and intent upon mischief, turned faster than your petitioner, endeavouring to overthrow him: That by great accident your petitioner got safe to the side of a ditch, where the chaise could not safely pursue; and the two gentlemen stopping their career, your petitioner mildly expostulated with them; whereupon one of the gentleman said, 'Damn you, is not the road as free for us as for you?' and calling to his servant who rode behind him, said, 'Tom' (or such other name), 'is the pistol loaden with ball?' To which the servant answered, 'Yes, my lord,' and gave him the pistol. Your petitioner often said to the gentleman, 'Pray sir, do not shoot, for my horse is apt to start, by which my life may be endangered.' The chaise went forward, and your petitioner took the opportunity to stay behind. Your petitioner is informed, that the person who spoke the words above mentioned is of your lordship's house, under the style and title of Lord Blaney; whom your petitioner remembers to have introduced to Mr Secretary Addison, in the Earl of Wharton's government, and to have done him other good offices at that time, because he was represented as a young man of some hopes, and a broken fortune. That the said Lord Blaney, as your petitioner is informed, is now in Dublin, and sometimes attends your lordship's house. And your petitioner's health still requiring that he should ride, and being confined in winter to go on the same strand, he is forced to inquire from every one he meets, whether the same lord be on the same strand; and to order his servants to carry arms to defend him against the like, or a worse insult, from the said lord, for the consequences of which your petitioner cannot answer.

"Your petitioner is informed by his learned counsel, that there is no law now in being, which can justify the said lord, under colour of his peerage, to assault any of his majesty's subjects on the king's highway, and put them in fear of their lives, without provocation, which he humbly conceives, that by happening to ride before the said lord, he could not possibly give.

"Your petitioner, therefore, doth humbly implore your lordships, in your great prudence and justice, to provide that he may be permitted to ride with safety on the said strand, or any other of the king's highways, for the recovery of his health, so long as he shall demean himself in a peaceable manner, without being put into continual fears of his life, by the force and arms of the said Lord Blaney."

We might add many anecdotes relating to the same time—we have, however, only afforded space to this, on account of the strong exemplification it gives of the author's general style and habits of mind. We do not think it necessary to defend him here from the charge of Jacobitism. The imputation had for a time the effect of narrowing his intercourse with the better classes of society, and reducing him to

move in a more narrow and less refined circle than he had been accustomed to for some years. Some persons of very high respectability, character, and talent, still superior to the prejudices of the crowd, rallied round him; and though destitute of that artificial charm which power and high rank can ever impart to insignificant minds, cannot be supposed to have wanted the main qualifications of the best society, wit, learning, refinement, and good-breeding, with as much of the social affections and more sincerity and worth than his regretted patrons and court friends. Among these were the Grattans (a large, influential, and highly accomplished family), Dr Helsham, Dr Delany, Mr Sheridan, and numerous other names, less generally known to posterity.

But in this circle his breast reverted ever to the friends and companions of that brilliant season of pride and hope, which was now over; they were wanderers and exiles, or awaiting the dangers of prosecution for state offences. With a spirit superior to inconstancy or fear, he continued openly to correspond with them, and pressed to be permitted by his friend, Lord Oxford, to attend him in the tower. Sir Walter Scott quotes from one of his letters to Pope, the following passage :—"You know how well I loved both Lord Oxford and Lord Bolingbroke, and how dear the Duke of Ormonde is to me. Do you imagine I can be easy while their enemies are endeavouring to take off their heads? *I nunc et versus tecum meditare canoros.*" In another passage which we quote from the same letter, Swift gives a graphic sketch of his manner of living :—"You are to understand that I live in the corner of a vast unfurnished house; my family consists of a steward, a groom, a helper in the stable, a footman, and an old maid, who are all on board wages; and when I do not dine abroad, or make an entertainment (which last is very rare), I eat a mutton pie and drink half a pint of wine; my amusements are, defending my small dominions against the archbishop, and reducing my rebellious choir. *Perditur inter hæc misera lux.*" From a letter written several months before that to Bolingbroke, it would appear that he had at first some thought of retiring to live for a time at Laracor, but had been deterred by meeting annoyances in that vicinity, from some litigious neighbour, as also by the disrepair into which his glebe-house had fallen. "I would retire too [he alludes to Bolingbroke's retirement before his flight into France], if I could; but my country-seat, where I have an acre of ground, is gone to ruin. The wall of my own apartment is fallen down, and I want mud to rebuild it, and straw to thatch it. Besides, a spiteful neighbour has seized on six feet of ground, carried off my trees, and spoiled my grove. All this is literally true, and I have not fortitude enough to go and see my dominions." \*

Some letters which passed, in the spring of 1716, between him and Bishop Atterbury, contain the precise particulars of the dispute with his "rebellious choir," alluded to in one of the foregoing extracts. In one of those letters he consults the bishop as to the regulation of other cathedrals. He first says—"I am here at the head of three-and-twenty dignitaries and prebendaries, whereof the major part, differing from me in principles, have taken a fancy to oppose me upon all occasions

\* Works, xvi. 245.



in the chapter house; and a ringleader among them has presumed to debate my power of proposing, or my negative, though it is what the deans of this cathedral have possessed for time immemorial, and what has never been once disputed. Our constitution is taken from that of Sarum; and the knowledge of what is practised there in the like case, would be of great use to me." The answer of Atterbury was strongly adverse to the dean's notions, as it gives the very lowest statement of the power of the deans in the older deaneries; and advises him to avoid the precedents which he proposed, and to pursue a discreet and forbearing caution to avoid stirring questions on the foundations of his authority. Swift, in promising to comply with this counsel, at the same time enumerates the special privileges of the dean of St Patrick's, with their high and ancient authorities, so as to show that he was not convinced; and we may add, such as also to make it apparent, that he had at least much strong ground to go upon.

While the dean was thus entangled in conflicts, little adapted to compose his irritable temper, or to assuage the deep and painful recollections and anxieties which he felt for those friends with whom all his generous feelings rested, they were passing through trials, adversities, and scenes of reverse and privation. At the coronation of George I., the several actors on that stage, from which Swift had so reluctantly retired, took their places in the scene with different degrees of apprehension, or confidence, as they had been differently involved in the late events. They had each already received intimations of the several degrees of disfavour in which they were involved; Oxford had been coldly received, because he had been a cold and equivocal friend, and was yet affected by suspicion; but he had been too cautious in his movements to have much to apprehend; and having been rejected and spurned by the Tories, he was even taken into the new cabinet; he was aware that these circumstances would not prevent the hate of his enemies from the endeavour to place him on his trial; but he was endowed with passive courage, and under worse risks would have braved them for the preservation of his estates and honours; he had made no friend among the Jacobites, and was by principle opposed to them. Ormonde was constitutionally sanguine; he had large interests at stake, and could not resolve, without one trial, to sacrifice his fortune to a cause. Against him the king was in the highest degree prejudiced; he had been, under the authority of Bolingbroke, made the agent of a truce, perfidious with respect to the allies, disgraceful to the British arms. When on his way to meet the king at Greenwich, he was met by a message to apprise him that he was forbidden to appear in the presence. Bolingbroke, too deeply dipped in perfidy and treason to have a reasonable hope, did not brave the contumely of the new court; he measured his danger with a clear and sagacious judgment, and calculated with precision the interval during which he might brave appearances, and try what the high reputation of ability and eloquence, or what fortunate contingency might work for him in the mean time. On the meeting of Parliament, these several parties were not long allowed to continue in suspense. Ere this, the Pretender had issued a declaration which tended to implicate the entire administration of the late queen. This cruel and perfidious oversight

commenced the war of party; the Whigs seized on the implication, which was indeed too obvious for doubt; the Tories defended themselves; and ere the session commenced, a fierce reciprocation of pamphleteering attacks, defences, and recriminations, prepared the way for heavier weapons.

The old Parliament was dissolved, and another, more constituted for the meditated views of the ascendant party, succeeded; the Pretender's manifesto was noticed in the king's speech; in the address, both houses stigmatised the dishonourable peace, and expressed their sense of the delinquency of the late ministers. "It shall be our business," was the language of the Commons, "to trace out those measures, in which he [the Pretender] places his hopes, and to bring the authors of them to condign punishment." Such an intimation was plain enough. Bolingbroke, in a few evenings after, appeared publicly at the theatre, and bespoke the play for the following night; he then retired, and disguised himself as the lacquey to a French courier, under whose protection he thus made his way to Calais. Ormonde indulged for a little longer in that confidence which was constitutional to a spirit rather ostentatious than great. Oxford had much to hope, and comparatively little to fear; he firmly and calmly stood his ground, displaying in the trials which followed, that however unfit to meet and cope with the emergencies and difficulties of public life, he was not devoid of the courage and fortitude which can grace adversity. A long and able report was brought in by Walpole, detailing the charges against the late administration. When it was ended, Bolingbroke was impeached of high treason; the impeachment of Oxford followed. Ormonde might have been overlooked, but his indiscretion provoked the doubtful blow; the motion for his impeachment followed, but he was suffered to escape.

In about a month after, Oxford was committed to the Tower. We have entered into this detail, as the meet preface to a letter which is so creditable to Swift, that it should not be omitted in this memoir:—

"To the Earl of Oxford.

*July 19, 1715.*

"My Lord,—It may look like an idle or officious thing in me to give your lordship any interruption under your present circumstances; yet I could never forgive myself, if, after being treated for several years with the greatest kindness and distinction by a person of your lordship's virtue, I should omit making you at this time the humblest offers of my poor service and attendance. It is the first time I ever solicited you in my own behalf; and if I am refused, it will be the first request you ever refused me. I do not think myself obliged to regulate my opinions by the proceedings of a House of Lords and Commons; and therefore, however they may acquit themselves in your lordship's case, I shall take the liberty of thinking and calling your lordship the ablest and faithfulest minister, and truest lover of your country, that this age has produced; and I have already taken care that you shall be so represented to posterity, in spite of all the rage and malice of your enemies. And this I know will not be wholly indifferent to your lordship; who, next to a good conscience, always esteemed reputation your best possession. Your intrepid behaviour

under this prosecution astonishes every one but me, who know you so well, and how little it is in the power of human actions or events to discompose you. I have seen your lordship labouring under great difficulties, and exposed to great dangers, and overcoming both by the providence of God, and your own wisdom and courage. Your life has been already attempted by private malice: it is now pursued by public resentment. Nothing else remained. You were destined to both trials; and the same power which delivered you out of the paws of the lion and the bear, will, I trust, deliver you out of the hands of the uncircumcised.

"I can write no more. You suffer for a good cause; for having preserved your country, and for having been the great instrument, under God, of his present majesty's accession to the throne. This I know, and this your enemies know, and this I will take care that all the world shall know, and future ages be convinced of. God Almighty protect you, and continue to you that fortitude and magnanimity he has endowed you with. Farewell,  
JON. SWIFT."

We learn from a letter which Swift soon after received from Arbuthnot, that Lord Oxford was greatly pleased with the generous proposal thus made; and that he intended to write an immediate answer. This answer appears to have been postponed from the extreme indolence and the procrastinating habits of this lord. His incarceration had, on the plea of sickness, been deferred, and he had gone to pass the short interval thus allowed at one of his seats.

Many of Swift's more humble associates had not been in any way involved, and several enjoyed the immunity belonging to their inferior and simply official connection with the recent set of men or measures which had now become the mark of increasing clamour and prosecution. On the decline of the Club of Brothers already noticed, another had been formed, far inferior in rank, wealth, and the splendour of social distinctions, but still more superior in the pretensions of a more truly elevated and permanent description. Of this the members were no more than six, and of these were Pope, Swift, Gay, Arbuthnot—Harley and Bolingbroke completed, and gave an imposing character to the union. This union is immortalised in the works of Pope and Swift, as the Scriblerus Club. Its members now became his chief correspondents, and in their letters published in his works, their own history, and the literary history of their time is to be found.

While thus harassed by anxiety for his best loved friends, and immersed in harassing dissensions with his chapter, Swift had not, like most persons who have to meet the distresses and labours arising from their commerce with the world, a refuge in the affections and confidence of home. In this great source of the best and purest human enjoyment, he must be regarded as the most unfortunate of men: his home hours were but a duller variety of the feverish dream of life, dependent on casual hospitality, or purchased servility, for some faint mock gleams of the love and personal regard to which all right minds turn for rest and peace. There was for him no endearing tie, no holy and cloudless union of love and perfect confidence. The want alone connected him



with his kind: and he vainly tried to fill the aching void by cultivating affections which had neither the wholeness nor the faith of those he missed. The subject of Swift's intimacy with the two most unfortunate ladies, Miss Johnson and Miss Vanhomrigh, of which we have already related the commencement, was at this time beginning to bring forth its fatal fruits.

Many of Swift's friendly biographers, in their extreme zeal to repel the malignity of others, and to elevate the character of one whom they venerated, have been led to commit the mistake of overlooking the common facts of human nature, and the numerous moral indications of Swift's mixed and somewhat complicated character. They perhaps felt that the tenderness, the generosity, and the scorn of vice which were very prominent features of his temper, could not be consistent with the motives and conduct of an opposite nature and tendency, which so much of his history seems peremptorily to force upon the conviction, and have thought it necessary to exert very considerable ingenuity in constructing for him a character adapted to reconcile those opposites, but altogether out of nature. Now it is true with regard to Swift, of all men of whom there is any distinct record, that every one incident of his life is strongly and prominently stamped with the common vein of mixed motive, fine-spun self-deception, adulterated virtue, and dignified infirmity, which is a known condition of human nature. A full view of this nature leads to much toleration: they who have clearly viewed what it is at best, will not be inclined to refuse to Swift's virtues, genius, and sufferings the degree of veneration, respect, and compassion which really is their due, because they were compounded with those infirmities, which are the conditions of humanity, and which in too many cases expand and develop with its powers and capacities. And we may declare (for our own part), that we are more anxious to guard against fallacious theories, than to set right the character of Swift or any other subject of these memoirs. The assumption that Swift and Stella, from the beginning, entertained no further understanding than a platonic attachment, commits not one but several errors. We may point out a few: it sets wholly aside the ordinary and well-known law of human character, as commonly observable in the intercourse of the sexes; it supposes that a man must be very profligate and cruel, before he will be tempted to tamper with female affections without just and honourable intentions; it then, to redeem Swift from so black a charge, thinks it necessary to assume that the most keen and fastidious observer of others that ever was, and the most severe analyst of motives, one too, remarkable for the tact by which he almost governed female hearts, was, in this one respect, a witless simpleton; and Stella, who is always mentioned as a person of talent and common sense, not wiser than a school-girl in her teens, befooled with bad novels. Were there distinct evidence that a platonic friendship, to exclude all further ties for life, was expressly entered upon between Swift and Stella, our inevitable inference would be unfavourable to the virtue of both; we have no faith in such ties—every one knows too well what they mean. It is the true vindication of Swift's head and heart, that his intentions were honourable and natural, and Stella's, that she so understood him. This will not acquit him of

much cruelty and much dishonourable conduct; but it will leave us free to find some extenuations and allowances.

The same considerations will, with certain modifications, apply to Vanessa. If, in Stella's case, he silenced the scruples of his better nature, by an indefinite prospect of matrimony, in that of Vanessa, he was satisfied to keep his own conscience clear, by giving warnings and exhortations, which were neither calculated nor intended to have any effect. This is too palpable to waste words upon it; but the path he took is curious for a dexterity of which he was not distinctly conscious. He saw the inflammable temper and sanguine spirit, and while he played with her passions by alternations of gallantry and reproof, he selected and suggested to her sanguine and romantic fancy the very delusion which was wanting to lead her inadvertently on till it was too late to return. He offered objections which were not conclusive, and suggested the platonism which no woman believes sincere, but which served well to ward off for a while distinct and decided explanations. Swift was a man of the world: no poet cloud-capt in the heaven of fancy, no abstracted metaphysician, but one who had worked his way to male and female favour with an address, which his fierce pride and irritability could not defeat. The esteemed and admired friend of the high-bred countess—the artful court favourite—the intriguer—the statesman—the morbid and keen-eyed satirist—the subtle and dexterous reasoner—commanding in a word the elite of every class, and holding a petty tyranny in the female world; he cannot be defended from the imputation of seeing through his own thin disguise of platonism. We must conclude these remarks, which we have carried beyond our intention, with a few very short extracts from the journal to Stella, the language of which can only be understood as expressive of an intention to marry or to deceive. “Farewell, dearest beloved, MD. and love poor Presto [himself] who has not had one happy day since he left you, as hope to be saved;—it is the last sally I will ever make, but I hope it will turn to some account. I have done more for these, and they are more honest than the last; however, I will not be disappointed, I would make MD. and me easy; and I never desired more.” Again, “You are as welcome as my blood to every farthing I have in the world; and all that grieves me is, that I am not richer for MD.'s sake, as hope to be saved. . . . . To return without some mark of distinction would look extremely little; and I would likewise gladly be somewhat richer than I am. I will say no more, but beg you to be easy, till fortune take her course, and to believe that MD.'s felicity is the great end I aim at in all my pursuits.” All this is plain as any woman would require; but for a slight tone of equivocation, which too uniformly appears in his protestations, as if he wished to impress the obvious inference without committing himself. And this we suspect to be the fact. As he advanced in life, and as the gay background of the prospect approached, it came upon his eye in more sober and less attractive colours; the attractions faded, and the less-pleasing features started into prominence: he felt himself to be in a position from which, if he could, he would recede; and he endeavoured to glide imperceptibly into a new understanding. Even while the journal was in its progress, events had been occurring



to make the old tie less pleasing; and it is impossible not to notice the gradual alteration of tone, which marks, as he proceeds, the transfer of his affections. Miss Vanhomrigh was youthful, interesting, personally attractive, and fascinated by his wit and graceful insinuation. As he had made his first advances to Stella in the guise of a Mentor,—a favourite approach since the days of Abelard, and before them;—so he also in the same way caught up the reins of Vanessa's more brisk and impulsive fancy, and guided her into the path he knew so well. His inclination was amused—his pride gratified;—and in the spell of the moment, he committed to oblivion, as men ever will, the danger attendant on such gratification. Too habitually shrewd not to perceive the more than usually fast progress of his pupil's passion, he thought to set himself right by a little good advice, which he knew would not be taken; for when did a few sage precepts ever act otherwise than as an excitement, when coming from an object of pursuit? All these considerations are plain enough in the correspondence between Swift and Miss Vanhomrigh, to which we must refer any one who would verify our reasoning.

How then, at this time, stood the dean's affections? We confess that we can do no more than conjecture upon the same broad grounds, where they apply with diminished certainty. We should say that his regard for each of these ladies was in different stages of progress, and therefore that strictly there can be no comparison. Perhaps his inclinations leaned to Vanessa, who was the younger, the more brilliant, and the more flattering; but that the better and more tender affections of his breast recognised the claims, and sympathised with the feelings of Stella. To Stella he had pledged himself: there had been no express contract, but there was an understanding which he felt thoroughly; for he is ever in his journal speaking upon such an understanding.

On his first arrival to take possession of his deanery, he took lodgings for Stella and her companion, Mrs Dingley, on Ormonde quay, the other side of the Liffey, and resumed his usual intercourse with them—an intercourse of which it must be observed, that it absolutely involved the species of understanding which we have explained. In every circumstance, of which we find any record, as well as in all his language, the same distinction may be observed: Stella was neither by him, nor by herself, regarded as a mere intimate friend, but as appropriated. All her arrangements were perceptibly included as a part of his.

Soon, however, the death of Mrs Vanhomrigh was the occasion of those embarrassing occurrences for which we have endeavoured to prepare our readers. Her son survived her but a short time, and her two daughters became the heiresses to a small property in Ireland, near Celbridge. Their circumstances were, notwithstanding, much embarrassed, and it cannot be doubted that Miss Esther Vanhomrigh, whom we may call Vanessa, was too happy to seize an excuse to come over to reside upon their own estate. Vanessa had no apprehension of a rival. Swift, in his communications with each of these ladies, had been most guarded. Occasional hints, which dropped now and then in such a manner as to imply a nearer intimacy



than was consistent with his general silence upon the subject, had for some time awakened the most painful suspicions in the mind of Stella; but if such incidents occurred in his intercourse with Vanessa, the ardour of her temper was more likely to overlook them. Stella was more calm, prepared, and trained to endurance: hope deferred, while it depresses the springs of life, has the tendency to create that painful sense which will be most readily understood by calling it a presentiment of ill. The arrival of Vanessa could not fail to awaken this unhappy sensation; and Stella, if she possessed the good understanding for which she has credit, must have had at this time some definite sense of Swift's character and mode of thinking and feeling.

The dean himself was become fully alive to the perplexity of the position in which he was entangled; and here we feel compelled to observe, that some biographers, who take a different view of the whole of this part of his history, dwell with unwarranted stress on the language of some of his letters and communications, which plainly manifest his own anxiety to repel the unfavourable impressions created in the minds of others; to extricate himself from the embarrassment arising from the expectation of both ladies, and which also indicate that, as his inclinations changed, and the period had arrived, when it was no longer possible to amuse himself with good intentions, he had laboured, as most men do on similar occasions, to shift the character of the existing relation between him and the victim of his love. He had always used equivocal language; and, between playfulness and irony, had contrived to suggest whatever he pleased, without committing himself: it was easy for him to persuade himself that he had no serious pledge—to forget much—overlook inferences—and alter meanings; he could also assign meanings to that language which proceeds from female pride and reserve, and give it a sense which it was not designed to bear. He could thus make a case for himself. Swift was at this time possessed of an invincible repugnance to matrimony; but his happiness not the less depended upon the whole possession of some tender and devoted breast—he loved Stella, and he pitied her. He may have had more inclination towards the comparatively youthful Vanessa, but in him such inclinations were not a governing principle, and he was (we are persuaded), more affected by disinclinations. His moral sentiments, friendship, pity, and remorse, were more potential in his nature; and everything indicates a full allowance of the superior claims of Stella.

Vanessa's letters are extant, breathing the most ardent passion, and, taken together with his answers, make it quite clear that her whole heart was bent on a union which he was equally resolved against. The terms on which their intercourse now proceeded are forcibly depicted in the following portion of one of her letters, written from her retirement in 1714:—"You bid me be easy, and you would see me as often as you could. You had better have said, as often as you could get the better of your inclination so much; or as often as you remember there was such a one in the world. If you continue to treat me as you do, you will not be made uneasy by me long. It is impossible to describe what I have suffered since I saw you last. I am sure I could have borne the rack much better than those killing words of

yours. Sometimes I have resolved to die without seeing you more; but these resolves, to your misfortune, did not last long. For there is something in human nature that prompts one so to find relief in this world, I must give way to it; and beg you would see me, and speak kindly to me; for I am sure you'd not condemn any one to suffer what I have done, could you but know it. The reason I write to you is, because I cannot tell it to you should I see you; for, when I begin to complain, then you are angry; and there is something in your looks so awful, that it strikes me dumb. O! that you may have but so much regard for me left that this complaint may touch your soul with pity! I say as little as ever I can; did you but know what I thought, I am sure it would move you to forgive me, and believe I cannot help telling you this and live."

From such a spirit there was, it is evident, no escape, without the most cruel inhumanity; he could not refuse, even had inclination been altogether silent, to visit and correspond with her; he could not, if he would, have acceded to her wishes for a nearer union. Of his tie to her rival, we have said enough; and it is quite apparent, that a marriage with either was likely to be a death-blow to the other. To marry either was not his desire, and he had a painful and embarrassing course to steer between them.

Under the fatal impression which this condition of circumstances must necessarily have made upon Stella, her health had begun at last to be visibly impaired; she, as Sir Walter says impressively, "had forsaken her country and clouded her reputation, to become the sharer of his fortunes when at their lowest." She must, indeed, have bowed beneath the withering wrong, much aggravated, instead of extenuated, by the evasions and indirect courses, which only made her condition the more humiliating, and left her no room for remonstrance. Her obvious depression alarmed the tenderness of Swift; and at this point a serious controversy arises on the conduct he pursued. Scott, following the tradition of evidence from the Bishop of Clogher through Berkeley, and of Sheridan through Mr Madden, and Dr Johnson, confirmed by Dr Delany, Mrs Whiteway, and other intimate associates of the dean, relates that, Swift seeing Mrs Johnson's depression, commissioned Dr St George Ashe, who had been his tutor in college, to inquire the cause. The answer was such as must have been anticipated—that "it was her sensibility to his recent indifference, and the discredit which her own character had sustained from the long subsistence of the dubious and mysterious connection between them." According to that account, Swift strongly stated his own resolutions, formed, as he alleged, at an early period—1st, not to marry without having first an adequate fortune; and 2d, to marry so early as to have time to push the fortunes of his children and settle them in the world. He had not yet attained the first of these conditions, and the second was already past. But to satisfy Mrs Johnson's mind he would consent to a marriage which was to be merely a ceremony, and to be kept strictly secret, and that they should live on the same guarded terms as previously. To this most laughably absurd proposal it is said Mrs Johnson consented, of course (if the story have any truth) in the hope that one step might lead on to another. In consequence, it

is said, that they were married in the garden of the Deanery in 1716. Against this narration, founded on hearsay evidence, we have to balance the opposite testimony, collected by Dr Lyon, which is brought forward on the authority of Mr Mason. This testimony is wholly different in its nature from the former; the one being, so far as it goes, positive, the other negative.

We shall state such of Dr Lyon's arguments as we admit the force of, in his own words; the reader will then have before him all that can now be said to any purpose on this curious question. Having mentioned an assertion of the dean's, made to one of his friends, Dr Lyon goes on to say:—"The same gentleman, who was intimate with Mrs Dingley for ten years before she died in 1743, took occasion to tell her that such a story was whispered of her friend (Mrs Johnson's marriage with the dean), but she only laughed at it as an idle tale, founded only on suspicion. Again, Mrs Brent, with whom the dean's mother used to lodge in Dublin in the queen's time, and who was his own housekeeper after he settled in Dublin in 1714, and who, for her many good qualities in that situation was much confided in, never did believe there was a marriage between those persons, notwithstanding all that love and fondness that subsisted between them; she thought it was all platonic love, and she often told her daughter Ridgeway so, who succeeded her in the same office of housekeeper. She said that Mrs Johnson never came alone to the Deanery, that Mrs Dingley and she always came together, and that she never slept in that house if the dean was there, only in time of his sickness, to attend him, and see him well taken care of, and during this course of generous attendance, Mrs Dingley and she slept together, and as soon as he recovered they returned to their lodgings on Ormonde quay. These ladies slept other two times at the Deanery, at an . . . . pleasant house, and near his garden called Naboth's Vineyard, and that was for those months in 1726 and 1727 which he spent in England. It chanced that she was taken ill at the Deanery, and it added much to his affliction that it happened at the Deanery, for fear of defamation in case of her dying in his house, whether he was at home or abroad. Had he been married, he could not have lived in a state of separation from her, he loved her so passionately; for he admired her upon every account that can make a woman amiable or valuable as a companion for life. Is it possible to think that an affectionate husband could first have written, and then have used, those several prayers by a dying wife with whom he never cohabited, and whose mouth must have been filled with reproaches for denying her all conjugal rights for a number of years, nay, from the very period (1716) that is pretended to be the time of the marriage? Would he have suffered his wife to make a will signed Esther Johnson, and to demise £1500 away from him, of which £1000 is enjoyed by the Chaplain of Steven's Hospital for the Sick, and accept of a gold watch only, as a testimony of her regard for him? If he could direct, or rather command, her to leave the fortune as he pleased, it is probable he would have directed the application towards the future support of lunatics, which was the species of charity he thought most worthy the attention of the public. Is it not probable that two gentlemen of honour and fortune, still living, who knew them



both intimately, and who were her executors, would have known of a marriage if there was one? And yet they always did, and do positively declare they never had cause to suspect they were married, although they were in company with both one thousand times; they saw proof of the warmest friendship, and any love but connubial love. If she made him a present of a book, you may read in the titlepage these words—and so she distinguished every book she gave him,—

“Esther Johnson’s gift to  
Jonathan Swift, 1719.”

Would he deny his marriage with a woman of good fortune at that time, when he says, “She had a gracefulness somewhat more than human, in every motion, word, and action.”

This is the view of Dr Lyon, to whom the care of Swift in his last state of imbecility had fallen; it seems to place the side which he adopts of the question in the strongest light of which it probably admits. It may be observed that a marriage, accompanied by the condition said to have been proposed by Swift, was in the first instance so perfectly nugatory as to be unworthy of the lowest sense, or feeling to propose; it was not a secret salve for a secret, distress of conscience that Stella wanted; it was a wounded reputation that was to be repaired; for such a purpose the alleged offer was a most cruel and absurd mockery. We cannot, without better proof, admit it to have been made. But we do not quite concur with Dr Lyon in the stress he lays upon Swift’s concurrence in the will of Stella, or in the name written in the books as in the above extract. If there was any marriage, it is still evident with how strong a feeling the secret was guarded by Swift; and, to any one who has duly appreciated the vindictive tenacity of his temper, and considered his time of life, and the peculiar eccentric equity which pride will maintain, and which in him so often appears as a characteristic humour, these instances will not seem to have very great weight on the negative side. It is hardly to be supposed that he would seek to derive benefits or claim rights from a union, of which he would not permit her to obtain the only advantage which she had sought, or could have expected from it; the name, which he would not allow her to wear, could not appear in her will or on her gifts. To draw any inference on the other side, from her not being allowed to bear that name, is simply to beg the question; we cannot, therefore, allow much positive value to the facts of Dr Lyon’s statement. As for the general arguments as to what Swift would or would not do, drawn from notions of his moral character, they simply show that Dr Lyon’s perceptions of human character were by nature very obtuse, or that, as often occurs, the near intimacy with such a man as Swift imposed upon his understanding.

We have now gone through the main points on each side of a question so doubtful and so interesting; and we think the result to be, that there are no satisfactory grounds for a decision. This much we consider clear, that Stella must have expected a marriage, and that Swift encouraged such an expectation; that he was sincere in those intimations, which gave rise to such an expectation; but that, having some repugnance to enter into such a union, he continued to put it off,

and, as most persons do in a variety of duties, to find reasons, shift his views, and make corresponding changes in his statement to others on the subject. All this is broadly written on the surface; the rest is hid in doubt. He may have made up his mind against the step, and fortified himself with reasons which were fallacious, and averments which were not strictly true; while some well-meaning friends may, in pity for poor Stella, and zeal for his character, have persuaded themselves to believe or invent a secret marriage. Again, on the other side, the dean, in pity and remorse, may have yielded to a strong and earnest wish; or, as is more probable on this supposition, feeling that he could not refuse, may have reluctantly consented and imposed conditions which wholly neutralised it; while Stella, on her part, may have still hoped for some further relaxation, which might at least release her from her unhappy position in society. In a secret marriage she would have secured herself against a rival; while Swift, whose whole moral temper is not ill-described in a line which was applied to him by some of his intimate friends:—

*Impiger, iracundus, inexorabilis, acer,  
Jura negat sibi nata, nihil non arroget armis;*

held to his conditions with the vindictive force of his acrimonious and unbending spirit. To this, were we to assume his marriage, might be added an additional motive of great force, which is thus stated by Sir Walter—"Terror for the effects the news of his marriage might produce on the irritable feelings of Vanessa, and a consciousness that his long concealment of the circumstances which led to it, placed his conduct towards her in a culpable point of view, must be allowed as one chief motive for the secrecy enjoined upon Stella." Swift was, it must be allowed, placed under circumstances of extreme embarrassment: it is a perplexity by no means uncommon; he found a way of his own to escape it.

This tragedy had a double plot: we must now for a moment return to conclude the history of Miss Vanhomrigh. Her arrival in Ireland was embarrassing in the extreme: Swift would have deterred her from coming, but in vain: there remained no longer for him the same strong attraction which gave interest to her conversation in London; he also more clearly saw the result to which her precipitate temper was drifting. During the interval she remained in town he is said to have visited her as rarely as he could without offending her irritable feelings. During this time he introduced to her some persons of respectable fortune and pretensions as suitors, each of whom she rejected—not without some display of the irritation caused by such a step. Her intercourse with Swift seems to have been by no means such as to offer much attraction: she became exacting and petulant; and, we should infer from numerous hints in the letters on both sides, continued angling for the proposals which she never ceased to expect, and showing displeasure at not receiving them. At last, in 1717, she returned, with her sister, to reside at Marlay Abbey, her place near Celbridge. From this there was an epistolary correspondence between them, but it appears that they never met except when she came to town, until 1720, when she began to be visited by him occasionally.



It is said that she always planted a laurel with her own hands whenever she expected one of those visits. It was their wont on such occasions to sit in a summer-house in the garden, with a table spread with books and writing materials between them; and, it may be presumed, that the conversation was entirely on subjects of criticism and philosophy: from the character of both it is easy also to infer with considerable certainty that Vanessa was ever availing herself of such topics as arose to press her own private views of their position, and that Swift was no less adroit in evasions and warnings, similarly urged. The correspondence which passed between them during this interval is preserved, and has been given to the public in the edition of Swift's works published by Sir Walter Scott: it offers the very clearest insight into all the recesses of Vanessa's mind, and leaves no doubt as to the whole spirit and character of their intercourse. We must now pass at once to the close of this romance of indiscretion and woe. For a long time she seems to have been sustained by the hope which is slow to desert enthusiasts—the very concessions, so forcibly extorted, were still added to the fatal pile of her illusions—she was kept within the bounds of due restraint by the awe which she entertained towards her fancied lover; but still it is probable that she reversed in her fancy the actual state of affairs, and thought that a reluctant entanglement with Mrs Johnson alone withheld his hand. She is supposed also to have been impressed with the idea that this lady was rapidly declining in health, and could not long continue to be an obstacle to her wishes. At last she felt that her years were stealing away, while these wishes appeared as far as ever from their object. The buoyant spirit of youth had sunk, and continued disappointment imparted perhaps the resolution of despair; she took a decisive, and, as it eventually proved, a fatal step. She wrote a letter to Mrs Johnson, requesting to know the truth of the report that she had been married to the dean.

Of the effect of this letter there are, of course, two opinions, and must be two ways of telling the story. If we conclude that such a marriage had actually taken place, Stella must have handed this letter to the dean, as one which she could not answer consistently with the understanding which existed between them. If the marriage had not occurred, it was a happy occasion to convey to the dean, without incurring his anger, the real character of the injury she was herself receiving at his hands. In either case her conduct was likely to have been the same. If, however, it was merely the secret that was risked, it is not so easy to understand the extreme violence of Swift's resentment—in this case, nothing had occurred which could not be remedied by an explanation, except the shock which poor Vanessa must have received—there was just enough to excite the irritability of his temper. But if we assume the contrary supposition, the whole becomes intelligible enough; for then Vanessa's indiscretion must have placed him in a position of the utmost embarrassment with Mrs Johnson; it at once rent asunder the nice web of illusions which he had so long and so dexterously kept up; it placed unequivocally before both, in a broad and glaring light, what her delicacy and pride had recoiled from uttering, and his sophisticating ingenuity concealed. This was, he must have felt, too much from one whose weakness he had so long treated with



indulgence, and whose petulance and unauthorised expectations he had met with pity and consideration : it was a crime to be bitterly avenged.

Sir Walter Scott, in his relation of these occurrences, says—"Stella, in reply, informed her of her marriage with the dean." If such a reply has any record whatever, it ought to be produced ; it would at once put an end to the question on which so much valuable ingenuity has been wasted. But it is, we should suppose, only inferred from the assumption that such a marriage had actually taken place. If so, one consideration is strangely overlooked. Such a reply would have been a breach of confidence, made on grounds so slight, that if it be admitted, it is not easy to suppose that the secret could have been at all kept. We assume, therefore, that Stella wrote no reply, but contented herself with sending Miss Vanhomrigh's letter to the dean. Infuriated by the indiscretion, he rode straightway to Marlay Abbey ; the rest we must tell in the language of Sir Walter :—"As he entered the apartment, the sternness of his countenance, which was peculiarly formed to express the fiercer passions, struck the unfortunate Vanessa with such terror that she could scarce ask whether he would not sit down. He answered by flinging a letter on the table, and, instantly leaving the house, mounted his horse and returned to Dublin. When Vanessa opened the packet, she only found her own letter to Stella. It was her death warrant. She sunk at once under the disappointment of the delayed yet cherished hopes which had so long sickened her heart, and beneath the unrestrained wrath of him for whose sake she had indulged them. How long she survived this last interview is uncertain ; but the time does not seem to have exceeded a few weeks. In the meanwhile she revoked a will made in favour of Swift, and settled her fortune, which was considerable, upon Mr Marshal, afterwards one of the judges of the Court of Common Pleas in Ireland, and Dr Berkeley, the celebrated philosopher, afterwards Bishop of Cloyne. A remarkable condition is said to have accompanied her bequest—that her executors should make public all the letters that had passed between the testatrix and Swift, as well as the celebrated poem of Cadenus and Vanessa." But, as Sir Walter immediately adds, in reality no such injunction was made in the will, and if made at all, it must have been in some private communication. The letters were suppressed, it is supposed, from an honourable sense of delicacy by Berkeley, and by Marshal from fear of Swift. It was also supposed that Berkeley destroyed the letters ; but a full copy of them was retained by the judge, from which some mutilated extracts found their way to the public. Sir Walter adds that he has himself been enabled to "fill up this curious desideratum in Swift's correspondence, which gives him the more pleasure, as any sinister interpretation of the former imperfect extracts, which, as natural, were taken from those passages which expressed most warmth of passion, will be in a great measure confuted by the entire publication." We quite assent to the truth of these and all the very forcible comments of Sir Walter, with the slight exception of his remark as to the tone of feeling appearing lowered, by the more full and perfect restoration of the sense. On the part of Swift it is clearly so ; and it is also perfectly evident that there is no room left for any scandalous construction. But the reader must not imagine that Vanessa's passion was

in any degree less glowing, impulsive, and extreme than it has been represented. The letters, as published in Sir Walter's edition, contain passages enough which are too expressly the language of passionate infatuation, softened by no context, and capable of no interpretation but the literal frenzy of amorous folly and despair. It would, however, be extreme injustice to quit this topic without one more sentence from Sir Walter. "It would perhaps have been better had their amours never become public; as that has, however, happened, it is the biographer's duty to throw such light upon them as Mr Berwick's friendship has enabled him to do, in order that Swift's conduct, weak and blameable as it must be held in this instance, may at least not suffer hereafter from being seen under false or imperfect lights." On this topic Scott has offered many just reflections, well worth much attentive consideration; but for these we must refer to his *Life of Swift*. In a note on this part of his subject he gives a very curious proof how much Swift must have been the object of female admiration, in a letter from a lady who signs herself Sacharissa. It breathes the whole fervour and fire of the most devoted passion, and, what seems difficult to conceive, refers it to the perusal of his writings, which she assures him gave birth to her passion before she saw his "godlike form." This assuredly opens a curious side view into the female fancy; and perhaps into the spirit of that age. According to the refinements of modern feeling and taste, it would be hard to conceive writings less calculated to awaken "love's young dream" than anything ever published by Swift; it can hardly be imagined that one so young as Sacharissa seems to have been, could be inflamed by grossness, or softened by dry humour; though we can well understand the effect of these and such other additions in certain stages of life and disposition, and when set off by address and personal appearance. But poetry was in a low state, and perhaps the ardent fancy of Sacharissa was won by the cold and stunted gleams which adorn Swift's verses: his reputation for genius, wit, and female favour would be enough to complete the impression. She represents it as her "misfortune to be in the care of persons who generally keep youth under such restraint as won't permit them to publish their passion, though ever so violent."

On the death of Miss Vanhomrigh, Swift retired into the north of Ireland, where he remained for two months, in gloomy seclusion.

Of his occupations in the same interval there are abundant notices, as also of his habits and manner of living. As we have made more than usually free with the very limited space at our command, we shall here endeavour to bring together a few details and extracts which may help readers to form more distinct conceptions of the man. It is believed that he devoted much of his time to study. In the notes of his *Life* by Scott there is a long list of books noted by himself, taken from Faulkner's catalogue of his library, and such as to display a very considerable extent of reading, which comprised most of the principal ancient and modern writers, as well in the learned languages as in French and English. It is also mentioned as probable that it was in this period that he sketched the first outline of "*Gulliver's Travels*;" and many circumstantial confirmations of this opinion are pointed out.

His domestic economy was in some degree characteristic of the extreme precision and frugality which, partly from early habit and partly from better motives, he uniformly preserved through life; something, too, is to be attributed to the single state in which it was his will to continue. He boarded with Mr Worral, a clergyman who lived in his vicinity; but kept two public days at the deanery. So far as we have been able to discover any distinct notice of these entertainments, they appear to have been sufficiently ample for the dean's fortune and circumstances; but it is known that they were then unfavourably compared with the more affluent hospitalities of his predecessor, Dean Sterne. The age was one of extreme and open hospitality in Ireland; and as the dean did not keep house at home except on these formal days, the poorer clergy, who were in the custom of making visits of business, could not fail to miss and feel the want of the certain welcome they had always hitherto met at the deanery. "His best defence," says Sir Walter, "is, that he received his preferment on such terms as involved him considerably in debt, and that his parsimony never interfered with the calls of justice or benevolence." But, as the same writer observes, the strife between parsimony and hospitality sometimes betrayed him into "instances of ridiculous accuracy." The stories illustrative of this are known as popular anecdotes, and have a place in so many jest-books that we need not repeat them here. It was a habit, which there is reason to think he continually observed, to allow many of his visitors at the deanery a small sum to provide entertainment for themselves; and when he chose to visit any of his poorer friends, he always insisted on paying for his board.

There was a small inner circle of friends with whom he was most in the custom of living, and with whom he kept the most unreserved intercourse. Among these Sheridan and Delany may be chiefly mentioned—of each of whom we shall give some separate account. Their entire intercourse appears to have been an interchange of wit and gaiety, of which the extant remains would fill a volume. Swift also was a frequent guest with Chief Baron Rochfort, at whose house he frequently passed considerable intervals. This judge was opposed to the existing government, and his house was a centre of all sorts of Tory wit.

Among his prebendaries and the officers of his cathedral he soon acquired the most entire ascendancy. His unpopular manner, and the high tone of authority which he had from the very beginning assumed, combined with other prejudices already mentioned, had roused a contumacious temper among them; they soon began to see that he not only kept right on his side, but that their own privileges and immunities had acquired in him a spirited and uncompromising defender. Of his manner among them, a notion may be formed from some lines of a poem written by Dean Percival.

"He sometimes to a chapter goes,  
With saucy strut and turned-up nose,  
Leans on his cushion, then he'll bid ye  
Hearken to what all know already.  
Perhaps he'll sneer or break a jest,  
But deil a bit to break your fast.



Go when you please, let the clock strike  
 What hour it will, 'tis all alike.  
 Some country preb. comes just at one,  
 In hopes to dine, and so begone;  
 The dean appears, 'I'm glad to see you:  
 Pray tell what service I can do you;  
 Be quick, for I am going out.'  
 The hungry Levite's vexed no doubt  
 To be thus baulked; tucks up his gown,  
 Makes a low scrape, and so to town;  
 Is welcome there, so makes a shift  
 To drink his glass, and rail at Swift."

This is the language of satire, but, as we have already noticed, the point of satire consists in the truth of its aim. The subject of such verses could not well be a favourite with the "country preb.," but he was not the less respected and honoured by the more sterling and higher classes of his associates; small minds are only to be repelled or attracted in the interchange of little things, which are mostly overlooked in the estimation of genius and virtue. It must be confessed that the satire of Dean Percival displays enviable powers of satirical description; but he had been severely mauled by the relentless pen of Swift; and we cannot help thinking that among the many fragments of description which are to be found scattered among his biographers, there will be found nothing so true as the language of Dean Percival. The following slight touch conveys a picture:—

"As for himself, with draggled gown,  
 Poor-curate like, he'll trudge the town,  
 To eat a meal with punster base," &c.

Of the occasionally boastful tone of Swift's conversation the same poem gives no unlikely specimen—

"But let's proceed from these poor tricks  
 O' the kitchen to his politics.  
 They stare, and think he knows as well  
 All depths of state as Machiavel.  
 It must be so, since from him flows  
 Whate'er the Earl of Oxford knows.  
 He swears the project of the peace  
 Was laid by him in Anna's days;  
 The South Sea ne'er could have miscarried  
 As he contrived, but others marred it.  
 Thus he goes on two hours and more,  
 And tells the same thing o'er and o'er;  
 The darkest plots he can unravel,  
 And split them ope from head to navel.  
 What dire effects o'er handbox hovered,  
 Venice Preserved," &c.

It asks no reflection to perceive from these lines how much Swift must, in his graver conversational moods, have been in the habit of reverting frequently and at length to his political achievements.

But it was in politics, and in the cherished dream of political importance and influence, that all his more serious thoughts found their appropriate object. For this the whole frame of his heart and head were cast. And while he dwelt with melancholy fondness, or still rankling irritability, on those busy and ambitious seasons in which

his hopes found their object and disappointment, it is easy to conceive the relief of an occasional free breathing of the fulness of his pent-up and impatient spirit. Such a spirit could not fail sooner or later to find scope and a field of action for itself: Swift could not contentedly subside into the quiet insignificance of an Irish deanery, or avoid entering with his stormy or over-wakeful temper into the scene of party strife which surrounded him. Unconnected with the existing government, opposed to it in the line of views he had adopted, and not less so in his friendships and hostilities, it is easy to see into what current he must have been carried by the prepossessions of his mind. He could not therefore have failed to adopt the popular side in Ireland. We are anxious to call attention to this, and to some other seemingly trifling considerations, because it has appeared to us that very exaggerated views have been taken of his conduct and character, upon the ground of the part he took at this time in the politics of Ireland. He has by some of the most respectable English historians been represented as a demagogue who endeavoured to obtain political importance by popular agitation; while his Irish admirers have exalted his conduct and motives beyond the realities of human character.

It is true, however it may be extenuated, that Ireland was at that time looked upon with the most thorough contempt by the members of the English Government, and, consistently with such a sense, treated as a country not entitled to any consideration when English interests were in the least concerned. And those who have assailed the memory of Swift on political grounds, have been deceived by their want of acquaintance with Irish affairs.

A man of genius—and therefore endowed with the more expansive and liberal sentiments of humanity; a spirit too elevated and proud to mix itself with the low aims of subordinate partisans; too just to look with indulgence upon national wrongs and flagrant acts of oppression; too irritable and too sore to look upon them without exasperation—may well be acquitted of base or merely factious motives. In entering on the field of Irish politics, Swift could have taken no other ground. The lengths to which he was carried were the result of the energy and talent which he brought to bear upon the main questions of the hour. If some English nobleman had risen in his place in the English Privy Council, and advised that some regard should be had to the commercial interests of Ireland, and that no attempt ought to be made to encroach upon the privileges which at that time she possessed, it would scarcely be attributed by the historian to any factious motive. Yet it is only necessary to suppose such an adviser in Ireland, and something more in earnest and better acquainted with the facts and consequences, to have the whole case of Dean Swift. There is, we grant, some discredit reflected on the course he took, by the means and from the consequences; but even this is only specious, as we shall presently see.

We have already had occasion to relate that after the revolution some important changes took place in the general administration of Irish affairs: previous to that event, however ill-administered the affairs of this kingdom might have been, there is yet uniformly to be traced in the policy of the English Cabinet a general beneficence of intent, shown by a disposition to promote the civilisation of the people and the com-



mercial interests of the country. And thus, though abuses were rife in the official administration, yet there was never wanting a rectitude of intent, and a fair regard to the independent privileges of the kingdom. The respective consequences of these two facts were, that while there existed much internal malversation and corruption, and while individuals were heavily oppressed, there was a rapid advance in the general prosperity of the country. But the wars of the revolution, and, still more, the circumstances by which they were preceded, called up the memory of those former rebellions, massacres, and internal agitations, which seem to have had a periodical return in Ireland. In consequence, severe measures were had recourse to for the security of the kingdom, and a most unfortunate sense sprang up, that a country which was the centre of so many disorders fatal to internal prosperity and dangerous to the empire, was not to be treated with any further consideration than what was just necessary to keep the people quiet.\* Such impressions operated with a sense of self-interest to lead the English Commons to attempt encroachments on the independence of the Irish parliament, and also to deprive this country of some of its most important commercial advantages. In the reign of William III. they prohibited the exportation of the Irish woollen manufactures except to England and Wales. The double wrong—an injury and an insult—were not allowed to pass in silence at the time; but the stunning influence of recent convulsions was still upon the mind of all; the winners were yet distrustful, and the losers still depressed and terrified. The British Government, still under the sense of dangers not altogether visionary, adopted the notion that it was necessary to maintain its power with a strong hand; and in Ireland the remembrance of a still recent period of horror and destruction operated to depress the spirit of resistance. There was, in consequence, an interval of torpid acquiescence which lasted through the following reign.

This silence was first to be broken by the voice of Swift. A Whig as he was now in his political creed, and in no way disposed to favour the turbulent and flagitious spirit which dwelt in the hopes of rebellion, and looked to the enemies of England as friends to Ireland, but, on the contrary, strongly and explicitly drawing the distinction in favour of the English interest, he yet saw, with the strong indignation of a humane and liberal mind, the stagnation of national interests resulting from misgovernment and injustice. His resentment was not the less that he felt a dislike and contempt towards the agents of this maladministration; and he entered with all his power and energy into the field of political contest once more. "Do not the corruptions and villanies of men eat your flesh and exhaust your spirits," he said to his friend Delany; who, answering in the negative, the dean became exasperated, and angrily answered, "Why, how can you help it?" "Because," said the other, "I am commanded to the contrary, 'Fret not thyself because of the ungodly.'"

Swift was not slow to find occasion for his meditated appeal; he

\* We cannot too strongly impress on the reader, that we are here only stating the general nature of an impression operating at a distance. We have no hesitation in condemning the policy to which it gave rise, *so far as it is here considered.*



began by a short pamphlet, published in 1720. It was entitled, "A Proposal for the Universal Use of Irish Manufactures, &c." Considering the temper of England, as we have described it, it may be easily conceived how such a pamphlet would be taken in that quarter.

Indeed, considering the substance of his representations in this pamphlet, together with the severe measures of prosecution adopted by the Crown, it offers a very striking evidence of that state of contempt into which Irish affairs and interests must have sunk. It is perfectly free from the slightest hint that could by any force of language be construed into disaffection, or into an attack on any existing authority or law. To any one who reads it now it will appear deficient in force, matter, and argument; but it spoke an intelligible language, and gave a voice to strong existing discontents; the representations it held forth were not merely practical, but couched in the most familiar forms, and framed in that style of playful severity and irony which has everywhere, but most of all in Ireland, so much popular effect. It reads like a happy selection from the common talk of the day, here and there pointed with the keenest shaft of Swift's wit. He tells the story of Arachne turned into a spider, and forced to spin and weave out of her own bowels; after which he proceeds:—"I confess that, from a boy, I always pitied poor Arachne, and could never heartily love the goddess,\* on account of so cruel and unjust a sentence, which is, however, fully executed on us by England with further additions of rigour and severity. For the greater part of our bowels and vitals is exhausted, without allowing us that liberty of spinning and weaving them." He then follows the subject on into a strain of very happily couched irony, in which he makes a person complain at some length of the wrongs sustained by poor England, in consequence of certain impositions practised by Ireland, such as digging their own ground for coals, &c.; and proposes a project to transport our best wheaten straw to Dunstable, and oblige "us by a law to take yearly so many tons of straw hats for the use of our women, which will be of great use to the manufacture of that industrious town." To appreciate the boldness of Swift in the publication of a tract that spoke a language which might appear exceedingly moderate in our own times, it will be necessary to recollect that neither the liberty of the press nor of the people had, even in England, attained those uttermost lengths of freedom which now press so often on the extreme bounds of license and confusion. As political intelligence was less, so the effects of popular excitement were far more sudden and dangerous. It is also justly observed by Sir Walter Scott, that "we must remember he was himself a marked man, intimately connected with the measures of that Minister whose period of power was now usually termed *the worst of times*." He also observes the strong feeling that must have been excited upon a question affecting the interests of many powerful persons; a feeling which extended to those on whom it would devolve to be the judges in case any state prosecution should be instituted. Great praise was undoubtedly due to one who, having always asserted his rooted aversion to the country, was yet content to take up its wrongs from no other sentiment than disinterested patriotism. It will not be any detraction from Swift to

\* Pallas.

attribute his conduct to somewhat more common and natural feelings; there is a strong sense of justice, and a sympathy with those who are the subjects of undeserved wrongs for the benefit of selfish, unjust, and inconsiderate oppressors, which, even in a well-told tale, and in an imaginary country, would be enough to kindle the passions and excite the spleen. To Swift such a statement would be peculiarly directed, and would kindle the fury of his irritable spirit. But against the existing government, and against their official representatives and agents in Ireland, he entertained feelings of contempt, dislike, and jealousy; the very fact that he was himself a "marked man" was a motive to one like him, more vindictive than timorous—more desirous to obtain importance and show power, than apprehensive of consequences.

A prosecution was quickly put in motion; the law officers of the crown prosecuted the printer; and the grand juries found that the tract was a "seditious, factious, and virulent libel." The printer (Waters) was arrested, and forced to give bail under large securities. The trial came on, and the result was, in all appearance, likely to turn out differently, as the jury, who had perhaps been better instructed by the effect of public discussion, brought in their verdict of acquittal. Chief-Justice Whitshed was, however, determined, and had recourse to threats, which in more recent times would not be dared, or listened to by the bar; but the imputation of disaffection was then an object of no vain terror: and after daring to resist for eleven hours, the courage and firmness of the jury gave way so far as to bring in a special verdict,\* by which the case was left in the judges' power. The arbitrary temper of Whitshed had carried him too far, and it was felt necessary to treat the matter with caution. The further proceeding was postponed until the arrival of the Duke of Grafton, at whose desire a *nolle prosequi* was entered. Swift pursued Whitshed with inexorable vengeance, and showered lampoon and epigram on his devoted head.

Many singularly ridiculous projects had at that time amused the credulity of the world, and Swift's strong and early hatred of such schemes had been continually excited. It was an unlucky time for the proposal of a national bank; for such an establishment the commerce, the intelligence, or the independence of the country were not yet ripe. It was proposed by persons who, it was suspected, would have made it the engine of large frauds upon the public; and it was perhaps still more evident, that it could be made use of by the government to the prejudice of the country. Swift attacked it so effectively with ridicule, that the project was rejected by the Irish parliament.

We pass a variety of minor incidents and tracts which filled the same interval, to state the particulars of a contest which terminated in giving Swift more popularity than has been attained in Ireland, from his time to the present generation, by any individual.

There had for some years been felt a great want of copper coinage for the transaction of the retail trade; so that a person, having money in his pocket, was in small bargains necessitated to depend on the credit he might find in the warehouses.—a deficiency most felt among

\* A special verdict is given when the jury, doubting the law of the case, chose to leave the question open to the decision of the court; this they do by a statement of the facts and finding, upon a condition to be decided by the judge.



the lower classes, whose wants were chiefly such as to incur this inconvenience. A necessity so evident seemed alike to demand the interposition of the crown, and at the same time to hold out a temptation to the speculation of adventurers. A person of the name of Wood was induced to avail himself of the circumstance to obtain from George I. a patent for the coinage of £108,000, in halfpence, to supply the Irish circulation. He succeeded in this by the influence of the Duchess of Kendal, the king's mistress; and the patent was passed without recourse to the usual formalities of consent in the privy council and the Irish parliament, which latter was required to give legal currency to a coinage of base metal. This measure was looked on by Swift as an infringement of the legislative independence of the kingdom. He sounded the alarm in three letters, signed M.B. Drapier, in which he avoided the dangerous considerations of privilege and national independence, which, if too early put forth, might cause his design to be effectively resisted at the outset, and appealed to the apprehensions of the vulgar by a most dexterous selection of arguments. These were founded upon an assumption of the exceeding adulteration of the copper; proceeding on which, he showed the losses to be sustained both by individuals and by the country; from which he showed that the gold and silver would be entirely drawn away in a little time. He also dwelt on the inconvenience which must ensue when this base copper should become the only existing medium, and on the tyrannical extortions of which it might be made the means. All these suggestions he put forward with a curious adaptation of manner and language to the classes who were chiefly to be agitated.—the small casualties of their dealings, the phrases to which they were accustomed, and even the very emphasis which fear and ignorance give to trifles, he contrived to infuse by means of the italic characters which ran through every paragraph, giving an impressive significancy to his hints and affirmations. The whole was strongly seasoned with characteristic humour, admirably adapted to the supposed writer and those on whom it was designed to tell. It is unnecessary to state at length arguments and representations which were not sincere, and only pursued for the purpose of exciting those to whom the real objects of the writer would have been unintelligible. The arguments used in these celebrated letters were all illusory, as the pretence on which they were founded was untrue; in fact, Wood's copper had been carefully assayed at the mint, and no precautions which could be under any circumstances taken were neglected by the government to control the issue of his halfpence; so that, in point of reality, the measure was in itself most beneficial in its tendency. This being considered, the reader of the Drapier's Letters will be amused by the grave humbug with which the rabble of every class is cajoled, in a manner which reminds one of the species of banter sometimes used with children. A specimen will convey the most distinct idea. After explaining that they were not obliged to take this coin, and having made a statement, with all the specious precision of numbers, to show the exact extent of the loss, he goes on—"THEREFORE, my friends, stand to it One and All; refuse this *filthy trash*; it is no treason to rebel against *Mr Wood*. His *Majesty* in his patent obligeth nobody to take these *half-*



*pence* ; our *gracious prince* hath no such ill advisers about him ; or if he had, you see the laws have not left it in the *king's* power to force us to take any coin but what is lawful, of right standard, *gold* and *silver*. Therefore you have nothing to fear."

"And let me in the next place apply myself particularly to you who are the poorest sort of *tradesmen*. Perhaps you may think you will not be so great losers as the rich if these *halfpence* should pass, because you seldom see any silver, and your customers come to your shops or stalls with nothing but brass, which you likewise find hard to be got. But you may take my word, whenever this money gains footing among you, you will be utterly undone. If you carry these *halfpence* to a shop for *tobacco* or *brandy*, or any other thing you want, the shopkeeper will advance his goods accordingly, or else he must break, and leave the *key under the door*. Do you think I will sell you a yard of tenpenny stuff for twenty of Mr *Wood's halfpence*? No, not under two hundred at least ; neither will I be at the trouble of counting, but weigh them in a lump. I'll tell you one thing further, that if Mr *Wood's* project should take, it will ruin even our beggars ; for when I give a beggar a halfpenny, it will quench his thirst, or go a good way to fill his belly ; but the twelfth part of a halfpenny will do him no more service than if I should give him three pins out of my sleeve."

A popular ferment was soon excited ; and as the Irish parliament and privy council had previously addressed strong remonstrances on the infringement of the legislative independence of Ireland, and the insult which they felt it to convey, counter-representations began to be circulated in different forms. One in Mr Harding's newspaper was supposed to be Wood's own defence of himself ; in reply to this Swift's second letter was written. In this he repeats most of the former arguments with increased speciousness, and replies with great wit and dexterity to those advanced in the newspaper. His third letter is addressed to the nobility and gentry of Ireland, and consists of observations on a report of the English privy council, consequent on the remonstrances of the Irish council and parliament. This report he pretends to believe to be an impudent fabrication of Mr Wood's, and replies by representations adapted to irritate and excite the Irish parliament. On this occasion he adopts a more cautious style of affirmation as to the baseness of the coinage, but replies to the various arguments offered to establish the opposite assertion. But he dwells more upon the questions of legality and of usage, and enters on the history of coinage in Ireland to meet the argument derived from supposed precedents. This letter is an admirable specimen of advocacy, equally remarkable for the dexterity with which it misrepresents, and the promptness with which it seizes and overturns fallacies. The fourth letter is addressed to "the whole people of Ireland, and enters more directly and undisguisedly on those points which in the previous letters he had cautiously and indirectly introduced. Here he entered on the immediate object which we have already stated.

These letters were accompanied by numerous squibs of satire, ballad, lampoon, and epigram, of which he now poured torrents from the press, and circulated in every shape. They told with immense effect upon

every class. The grand jury and principal inhabitants of the liberty of St Patrick's entered into an association to refuse Wood's coin. "The timid were encouraged, the doubtful confirmed, the audacious inflamed, and the attention of the public so riveted to the discussion, that it was no longer shocked at the discussion of the more delicate questions which it involved; and the viceroy and his abettors complained that any proposition, however libellous and treasonable, was now published without hesitation, and perused without horror, provided that Wood and his halfpence could be introduced into the tract." \*

The Duke of Grafton found himself unequal to such an emergency, and even Walpole admitted that there was a necessity for retreat. To avoid compromising the dignity of the government, he proceeded to retract the measure by degrees. But his dexterity was shown in one expedient. Lord Carteret, a man of great abilities, a favourite at court, his enemy, and one of his cabinet, whom he both feared and vainly desired to get rid of, had been suspected of originating the entire affair, and of having secretly supplied the information of which the Drapier had made such tremendous use. Him Walpole determined to send over as lord-lieutenant, to encounter a storm of his own raising. He was directed to give effect to Wood's patent if possible, but permitted in the contrary case to put an end to it. It was in the interval between this appointment and his arrival in Ireland that the fourth letter of the Drapier appeared, and gave a turn to the conflict which might have relieved him from much of this delicate entanglement, as it left no longer a doubt of the course expedient for the English government.

But even in the moment of retreat another difficulty presented itself. A tract which daringly discussed the rights of the Irish legislature and the limits of the royal prerogative, the independence of Ireland, and all the dangerous popular questions arising from these topics, in a manner equally bold and inflammatory, could not be allowed to brave the authorities without question; and Lord Carteret had scarcely set his foot upon the shore, when he found himself under the necessity to offer a reward of £300 for the Drapier. Harding, the printer, was at once arrested and thrown into prison; and for a time the dean had reason to apprehend a discovery. That courage, which was a high attribute of his character, did not quail. He went straight to the first levee, "burst through the circle by which he was surrounded, and in a firm and stern voice demanded of Lord Carteret the meaning of these severities against a poor industrious tradesman, who had published two or three papers designed for the good of his country." Carteret, to whom Swift was personally well known, and who could have no doubt of his being the author of the Drapier's Letters, evaded the expostulation by an apt quotation from Virgil:—

"Res dura, et regni novitas, me talia cogunt  
Moliri."

Another anecdote on this occasion, related by most of Swift's biographers, is very illustrative of his character. We may give it best in the language of Scott. "A servant named Robert Blakeley, whom he intrusted to copy out and convey to the press the Drapier's Letters.

\* Scott.



chanced one evening to absent himself without leave. His master charged him with treachery; and upon his exculpation, insisted that at least he neglected his duties as a servant, because he conceived his master was in his power. 'Strip your livery,' he commanded; 'be-gone from the deanery instantly, and do the worst to revenge your-self that you dare to.' The man retired, more grieved that his master doubted his fidelity, than moved by his harsh treatment. He was replaced at the intercession of Stella; and Swift afterwards rewarded his fidelity by the office of verger in the cathedral of St Patrick's." Another anecdote may be taken from the same page, "that while Harding was in jail, Swift actually visited him in the disguise of an Irish country clown, or *spalpeen*.\* Some of the printer's family or friends, who chanced to visit him at the same time, were urging him to earn his own release by informing against the author of the Drapier's Letters. Harding replied steadily that he would rather perish in jail before he would be guilty of such treachery and baseness. All this passed in Swift's presence, who sat beside them in silence, and heard with apparent indifference a discussion which might be said to involve his ruin. He came and departed without being known to any one but Harding."

It will be unnecessary to follow up here the minute detail of the consequences of this transaction. The trial of Harding came on, and the grand jury ignored the bill, in opposition to Chief-Justice Whitshed. They were by him dissolved; and the new grand jury took the further step of passing a vote of thanks to the author of the Drapier's Letters in a presentment, in which they brought in Wood's scheme as a fraud upon the public. Wood's patent was surrendered, and he received an indemnity of £3000 a-year for twelve years.

From this the popularity of Swift rose to a degree of enthusiasm which has no parallel in our history, as it was not merely that of a demagogue acquiring an influence by the propagation of popular delusion, but pervaded all ranks alike. The "Drapier's Head became a sign; his portrait was engraved, woven upon handkerchiefs, struck upon medals." A club was formed, calling itself the Drapier's Club; to which was due the first collection of the letters published in his name. Though, as Sir Walter observes, his faults and infirmities were of a description peculiarly obnoxious to the Irish people, this did not in the least interfere with the enthusiastic veneration in which he was held. Unpopular beyond all men in his habits of thought and action; proud, arrogant, and presumptuous; uncompromising in small things, and devoid of both the will and the manners to conciliate; he was followed as an idol in the streets; and if he travelled received like a prince in the towns. When Walpole talked of having him arrested, some one present, who knew something of Ireland, asked him if he could spare ten thousand men to execute such a writ. This exaggeration at least indicates the truth.

In the height of the popularity thus won, Swift retired for a while

\* We suspect that Sir Walter is mistaken as to the meaning of the word "spalpeen;" a term indicative of contempt, used by the "country clown" to designate a particular class of people who are in the custom of emigrating towards harvest in search of work.



to his friend Sheridan's, near Trim, with Stella and Mrs Dingley. Of this retirement, and of the way of living there, we shall speak more particularly in a memoir of Sheridan himself. A short extract from Scott's memoir will now better suit the brevity we must observe :—

“Dr Sheridan, highly respectable for wit, learning, and uncommon talent for the education of youth, and no less distinguished by his habits of abstraction and absence, and by a simplicity of character which ill suited with his worldly interest, had been Swift's friend of every mood, and of all hours, since the dean's fatal retirement into Ireland. A happy art of meeting and answering the raillery of his friend, and of writing with facility verses on domestic jests or occasional incidents, amused Swift's lighter moments; while Sheridan's sound and extensive erudition enlightened those which were more serious. It was in his society that Swift renewed his acquaintance with classical learning, and perused the works which amused his retirement. In the invitations sent to the dean, Sheridan was always included; nor was Swift to be seen in perfect good humour, unless when he made part of the company.” To which Sir Walter adds some mention of the influence which his wit and good humour had in turning away the dean's violent fits of irritation, and tranquillising his temper; and mentions Swift's great regard for him.

In this retreat, his main occupation was the correction and transcription of “Gulliver's Travels.” When this was completed, he came to the resolution of once more paying a visit to England, whither he accordingly went soon after, in 1726.

The particulars of this visit have a deep interest, but an interest not by any means to be conveyed in any summary relation. They are to be found at length in a variety of separate narrations, and are vividly illustrated in the volumes of published correspondence which form a part of his works. Many of his former friends were still in London, and were happy to receive him. Bolingbroke had returned to live in England; restored to his estate, but not to his honours. Pope had advanced to the meridian of his reputation. Between their homes he lived, dividing his time chiefly between Twickenham and Dawley.

Immediately after his arrival he dined with Walpole, by whom he was received with all courtesy; and obtained an audience soon after, for the purpose of stating his views of Irish affairs. Walpole heard him with patience and attention; and when he had finished his statement, explained his own views of the questions on which he had been addressed. They differed very much from those of the dean. After the conference, they separated with mutual courtesy. The dean immediately after wrote to Lord Peterborough, who had obtained his audience for him, a letter, in which he gave a full and minute account of what passed on both sides, and concluded by a request that his lordship would give it to Sir Robert Walpole, and desire him to read it. This letter may be found among his correspondence,\* and contains a full account of Swift's sentiments on the affairs of Ireland at the time. We may refer to it again, but cannot afford space to notice it further at present.

During the eight years of seclusion which the dean had passed in

\* Works, vol. xvii. p. 63.

Ireland, many changes had been taking place, both in himself and in the scene to which he now returned, as one come home from exile. With respect to his friends, as Pope writes, a little previous to his arrival—"After so many dispersions and so many divisions, two or three of us may yet be gathered together." The Earl of Oxford had died a little before, and Bolingbroke had but recently returned: Arbuthnot was just recovered from a dangerous and distressing malady: Gay was retained in the court of the prince, and with seemingly good hopes of preferment. They were the chief representatives of those brilliant days of importance and expectation which had passed never again to return. Of these, Pope had been in the interval steadily advancing in fortune and fame: he still not the less retained a deep-seated remembrance of the dean's early and efficient kindness, in laying the first foundations of his success: he now became the most attached and best loved of Swift's friends, and had the happiness to have him for his guest during the time that he remained near town. They were in some respects ill-sorted, being both nervous, fretful, and dependent on the care and attention of others. Pope's extreme feebleness of frame and constitution are universally known; the dean was subject to fits of giddiness and deafness; and, what was far more prejudicial to companionship, to paroxysms of the most furious rage on very slight occasions. It is, however, easy to feel, that with one so kind and so weak as Pope, a strong sense of delicacy and of affection must have operated to constrain this latter infirmity, of all others the hardest to reconcile with unbroken attachment. Bolingbroke had endeavoured to obtain tranquillity from study, and dignity from the affectation of philosophy, while engaged in meditating a secret blow at Christianity, which he wanted spirit to strike. He sought refuge in the sententious morality of heathenism, though the history of both his previous and after life indicate no more sincere regard to virtue, about which he has written well and even truly, than about religion, of which he was altogether ignorant. He was, nevertheless, possessed of strong affections, governed and directed by good taste; and, in despite of the deserved admiration which some of his writings have received from men of letters, the better part of his fame is preserved by his friendship with Pope and Swift. He was now restored to his estates by the generosity of Walpole, whom he repaid by all sorts of libels, lampoons, and epigrams, which money or hospitality could purchase, or his own ever active genius produce. He received Swift as one whom he respected and loved, and whom he might in some turn of affairs find useful; but he knew too well the haughty and intractable spirit of the dean to admit him to the inner mysteries of his heart. It is hard to say to what extent Swift was imposed on. We know that his real respect for rank and distinguished reputation were in some cases liable to influence his judgment; and it must undoubtedly be admitted as a practical maxim in the intercourse of the world, that it is unnecessary to pry too far into the secret frailties of those with whom we happen to be joined in the bonds of regard and mutual kindness. The limit to such a maxim is evident enough, but few can fairly apply a test which but few can bear; and the spirit of life is, after all, mutual toleration. It must, in the case before us, be remembered, indeed, how



little, comparatively, of the character of Bolingbroke could have been known to Swift, and how many plausible grounds there were for one who wished to look favourably. It is, indeed, amusing to read some of Pope's expressions of veneration, to be found in his letters, or in those noble lines of immortal poetry addressed to the philosophic genius of St John, and to reflect at the same time on the known character of the man. "Here," says Pope to Swift, "is one who was once a powerful planet, but has now (after long experience of all that comes of shining) learned to be content with returning to his first point, without the thought or ambition of shining at all."

But for the aspiring spirit of the dean, the scene had still an attraction of that nature which is least likely to have any immediate or direct indication. The Prince and Princess of Wales kept their court at Leicester House, where they collected about them a party of distinguished persons, who were discontented with the government, and aimed to cultivate an interest of their own in opposition to the court. The princess was herself a woman of great amiability, talent, and address. She was extensively acquainted with books, and cultivated the conversation of learned men, by whom it was her pride and pleasure to be surrounded. Her "favourite science" seems to have been the metaphysical; and she kept up a correspondence with Leibnitz, and discussed abstruse questions in speculative divinity with Clarke. Her apartments re-echoed the voice of controversy, or resounded with the sally of wit. Over her husband she possessed the most unbounded influence; and, without the assumption of authority, occupied his entire confidence, so that he was almost wholly governed by her advice. He kept a court mistress, rather in compliance with the vicious fashion of the time, than from any disposition to inconstancy; but the queen still was as much the object of his inclination as of his esteem and respect, and kept the mistress completely in subjection to her will. As this lady occupied a distinguished place among the friends of Swift, we must say a word or two on her history. She was the daughter of Sir Henry Hobart, for whom she obtained a title, and afterwards the earldom of Buckinghamshire. She married a Mr Howard, who afterwards succeeded to the earldom of Suffolk. Soon after their marriage they went to Hanover, in the hope to obtain the good-will of the electoral family, in whose favour all expectation then began to centre. Mrs Howard, who possessed a pleasing exterior, much address, and a considerable share of good sense and observation, became soon a favourite with the electoral princess Sophia, then, according to the Act of Settlement, heiress to the English throne. After the accession of George I., Mrs Howard was appointed bedchamber-woman to the Princess of Wales, and in this station soon attracted the fancy of the prince. The virtue of Mrs Howard was not proof against the prestige of royal attention, the seduction of expected wealth and influence, or the low ambition which is known in courts, and out of them is not easily understood. Her husband was disagreeable, and indifferent alike about her person and his own honour; but such an opportunity of obtaining some improvement of his straitened means was not to be let pass: he made as much of the matter as he could. One evening he rushed with pretended fury into the court-yard of the palace, and



called for his wife so violently, that he was turned out by the guards. He then had recourse to more formal means, and contrived in different ways to keep Mrs Howard in a state of alarm, until at last he obtained what he wanted; and, after a regular negotiation, he sold his claim to her for a pension of £1200 a-year.

It does not very much exalt the characters of Swift and his eminent friends, to trace in their correspondence the too evident connivance at all the baseness and immorality of such a career. They seem to have affected to overlook the real character of her intercourse with the king: but the plain interest expressed so often in their letters in the success of a criminal and dishonourable treaty, is incapable of being strained into such ignorance. The truth is, that they were all committing a most signal mistake. They had in view the precedents of court favour: they were thinking of the Duchess of Kendal, and the old ascendancy of mistresses and favourites. But the case was reversed: the princess not only kept the bedchamber-woman within her province, but she set herself against those who appeared to seek for anything through her influence. This was really the error of Swift and his friends Pope, Arbuthnot, and Gay, and ended in their being disappointed in all their aims and wishes. It is mentioned to the praise of Walpole's sagacity, that he early discerned the real state of these nice and delicate soundings, and afterwards paid his court directly and adroitly to the queen, with an entire disregard of Mrs Howard. Many curious stories concerning Mrs Howard have been preserved by Horace Walpole in his *Reminiscences*.

Among the many notices of this visit to be found in the correspondence between the dean and his friends, the following passage occurs in a letter from Pope:—"Since then, I had a conference with Sir Robert Walpole, who expressed his desire of having seen you again before you left us. He said he observed a willingness in you to live among us; which, indeed, I did not deny." To this Sir Walter appends a note:—"Walpole perhaps foresaw an approaching union between the dean and Pulteney, and was probably not unwilling to give opening to a reconciliation which might prevent such a coalition;" but he goes on to say that he was late, as a correspondence between the dean and Mr Pulteney had already commenced. The dean was introduced to the Princess of Wales at her own desire by Dr Arbuthnot, whose note apprising him of her royal highness's appointment is among the other correspondence, and dated April 5, 1726.

The dean was, however, for the present interrupted in this temporary renewal of his intercourse with the great world by the distressing intelligence of the illness of Stella, who had for some time been in a state of rapid decline. The letters which he now received from Sheridan and others were so alarming, that he became exceedingly agitated and restless, and left Mr Pope, with whom he lived. He first took lodgings in London, where he seems to have been in daily expectation of receiving accounts of her death. Sheridan's account was on July 19th; on the 4th of August, in a letter from London to Pope, we find him "gathering up his luggage," and preparing for his journey. On the 17th he set out; and from the letters written in the interim there is perceptible much reluctance to depart—a part of which may be set

down to an unwillingness to be on the spot, in case the death which he so apprehended should occur.

On the 1st of September there is a letter from Dublin to Mrs Howard, which clearly indicates that she had obtained in his affections the place formerly held by Lady Masham. He thus addresses her:—"Madam, being perpetually teased with the remembrance of you, by the sight of your ring on my finger, my patience at last is at an end; and in order to be revenged, I have sent you a piece of Irish plaid," &c. "I must likewise tell you, to prevent your pride, my intention is to use you very scurvily; for my real design is, that when the princess asks you where you got that fine night-gown, you are to say that it is an Irish plaid sent you by the dean of St Patrick's; who, with his most humble duty to her royal highness, is ready to make her such another present, at the terrible expense of eight shillings and threepence a-yard, if she will descend to honour Ireland by receiving and wearing it; and in recompense, I, who govern the vulgar, will take care to have her royal highness's health drunk by five hundred weavers, as an encourager of the Irish manufactory." The latter part of this extract we have made, because the incident it mentions was afterwards frequently reverted to with some bitterness by the dean, when he found himself neglected by the queen.

In the interval of his stay in Ireland, nothing occurred of sufficient importance to detain our narrative. A letter from Mr Pulteney hints at some secret project, which Sir Walter, in a note, conjectures to be relative to the *Craftsman*, an anti-ministerial paper which he set up, and to which Swift lent his occasional aid. A letter from Arbuthnot conveys the sentiments at this time expressed by the princess concerning the dean:—"I had a great deal of discourse with your friend, her royal highness. She insisted on your wit and good conversation. I told her royal highness that was not what I valued you for, but for being a sincere, honest man, and speaking truth when others were afraid to speak it." Another, of a later date, mentions the fate of the plaid sent to Mrs Howard:—"The princess immediately seized on your plaid for her own use, and has ordered the young princesses to be clad in the same. When I had the honour to see her, she was reading *Gulliver*," &c.; and, after some very amusing anecdotes, which we exclude with regret, the doctor goes on to say—"Gulliver is in everybody's hands. Lord Scarborough, who is no inventor of stories, told me that he fell in with a master of a ship, who told him that he was very well acquainted with Gulliver; but that the printer had mistaken—that he lived in Wapping, and not in Rotherhithe. I lent the book to an old gentleman, who went immediately to his map to look for Lilliput." A letter from Mrs Howard follows, in which the dean is commissioned to send over more plaid for the princess. The measure is given in terms which appear to have emanated from the princess herself—"the height of the Brobdingnag dwarf, multiplied by  $2\frac{1}{2}$ ." For a "short method, you may draw a line of 20 feet, and upon that, by two circles, form an equilateral triangle; then, measuring each side, you will find the proper quantity and proper division." The goods were to be carefully sent, so as to escape the vigilance of the custom-house; and the money was to be ready against their arrival. In his replies to this and other letters in



which Gulliver is alluded to, the dean affects mystery and misunderstanding, in his own peculiar vein of playful irony.

The immense and instantaneous celebrity of *Gulliver's Travels*, published in the November of this year, needs no description. It was read by every class, and afforded appropriate interest for all. For the higher ranks, its keen political satire gave an added zest to the strange mixture of wit, irony, and burlesque, to which the writer contrived to impart a tone of reality, and the interest of a traveller's tale. Sir Walter gives a long and most interesting critique upon it, in which are explained many of the allusions which it contains to the persons and events of his time; but this occupies no less than twenty pages of his memoir, and can neither be compressed nor quoted consistently with our present limits. It will be enough here to mention that his description of Flimnap, the premier, which alludes to Sir Robert Walpole, is supposed to have been a bar to the further promotion which he had reason to expect on the accession of George II.

Stella's health soon appeared to recover; and in March 1727, the dean once more returned to England. He spent the summer partly at Mr Pope's and partly rambling about in his company to the country seats of his friends, the Lords Oxford, Bathurst, &c.; and also in improving his acquaintance with Pulteney and other rising men, whose success might on a future day be the means of his own advancement. Bolingbroke had entered into a coalition with Pulteney, and showered a storm of abuse against the impassive front of the minister; of whom Swift complained that he set no value on genius, and had "none but beasts and blockheads for his penmen." Towards the close of summer, the dean had formed the intention of passing two months in France, where his reputation had obtained great celebrity. On this occasion he received a letter from Voltaire, enclosing a letter of introduction to the Comte de Morville, secretary of state; and explaining other provisions he had made to secure him a satisfactory reception. But just as he was ready to set out, the death of George I. opened other prospects and interrupted his journey. Here the affectation of having nothing to ask, probably led the dean to assume the appearance of being guided by the advice of Mrs Howard, who strenuously urged it upon him not to stir. This view of his motives will find support if the reader has before him the nearly childish frowardness which he showed at the time of his preferment by Lord Oxford, which displays the same indications described by himself in his letter to Sheridan on this occasion. "I was just ready to go to France when the news of the king's death arrived, and I came to town in order to begin my journey. But I was desired to delay it, and I then determined a second time; when, upon some new incidents, I was with great vehemence dissuaded from it by certain persons whom I could not disobey." The same letter affords a much stronger view of the writer's mind, though not so suited for extraction, as being more scattered into broken hints. A "million of schemes"\* which busied himself and his friends are incidentally mentioned, and their hopes of improving their position plainly stated. "It is agreed," he says, "that the ministry will be changed, but the

\* Swift did not, however, enter with any of his usual spirit into those schemes which he considered injudicious.



others will have a soft fall" although the king must be excessive generous if he forgives the treatment of some people."

Sir Robert Walpole had, nevertheless, secured himself; and he appears to have been favoured by circumstances. When he waited on the prince with an account that the king had died upon his journey, he asked "to whom it was his pleasure to entrust the drawing up of the address to the council." The king replied, "To Sir Spencer Compton." This was decisive; and Walpole, considering his reign over, waited on Sir Spencer with the king's commands. Sir Spencer was not equal to the occasion: he was paralysed by a seeming emergency, and in his perplexity turned to Walpole himself for aid. Walpole drew up the address. He immediately after, while matters were yet unsettled, had a conference with the queen, who was anxious on the subject of her own settlement—which Walpole engaged to have raised to £100,000, while Compton would only undertake £60,000. The interference of the queen quickly re-established Walpole, to the vexation and astonishment of those who were hoping to rise upon his ruin.

In August, while residing with Pope, the dean was visited by an attack of the deafness to which he was liable, and resolved to leave his host, whom he thought "too sickly and complaisant." "I believe," he also says, "this giddiness is the disorder that will, at the last, get the better of me." In a letter to Mrs Howard, he says of this complaint:—"About two hours before you were born, I got my giddiness by eating an hundred golden pippins at a time at Richmond."

On the 19th of August, he received from Sheridan an account of Stella's last illness. We must give one short extract from his answer. "I have had your letter of the 19th, and expect before you read this to receive another from you, with the most fatal news that can ever come to me, unless I should be put to death for some ignominious crime. I continue very ill with my giddiness and deafness, of which I had two days' intermission, but since worse; and I shall be perfectly content if God shall please to call me away at this time. Here is a triple cord of friendship broke, which hath lasted thirty years, twenty-four of which in Ireland. I beg of you, if you have not writ to me before you get this, to tell me no particulars, but the event in general: my weakness, my age, my friendship, will bear no more." He immediately removed to his cousin Lancelot's house, in New Bond Street. There he received another letter from Sheridan, which he was afraid to open, and kept for an hour in his pocket before he could collect resolution. The event he feared was, however, protracted. He returned soon after to Ireland, where he found Mrs Johnson alive. She languished until the following January 1728, in which month she died, in the 44th year of her age.

We have already had occasion to notice the peculiar circumstances relative to her will; but Sir Walter Scott, in a note on the passage in which he mentions the circumstance, brings forward a statement from Dr Sheridan, in which it is alleged that she made her will during her last illness in a vindictive spirit. "But soon after, roused by indignation, she inveighed against his cruelty in the bitterest terms, and sending for a lawyer, made her will, bequeathing her fortune in her own name to charitable uses." The act took place in Dr Sheridan's pre-

sence, and therefore Scott admits that it is good authority; though he prefers Mr Theophilus Swift's, and mentions some very strong considerations which lessen the value of Sheridan's statement. We notice it here simply to observe that Sheridan's statement loses whatever value it might otherwise have, when compared with a statement made by the dean himself in a letter written from London in the previous year, July 15, 1726, on the first account of her illness, in which he says, "I wish that it could be brought about that she might make her will. Her intentions are to leave the interest of all her fortune to her mother and sister during their lives, and afterwards to St Stephen's hospital, to purchase lands for such uses there as she designs." \* This reduces the authority of Dr Sheridan to a very small value indeed, and shows that he had in some way been misled by a false assumption, or that his memory betrayed him. The existence of such an inconsistency also tends to diminish very much the force of all the statements on the same side, as they indicate a very strong leaning to a conclusion.

From this point of time the incidents of the dean's life become far less important. In Ireland there was nothing that could give Swift's intellect and passions the full excitement of which they were susceptible, and which was a want of his nature; he was the inhabitant of some broad element cooped up within a narrow cell; growing infirmities, and the sense of the approach of old age, rendered such a state more gloomy by cutting off the last consolation of hope. With a temperament irritable, and perhaps inclined to discontent, it may be easily conceived that these inclinations must have been sadly aggravated under the present circumstances. Among those intimates with whom he maintained a friendly intercourse, there were a few whom he loved, and a few more whose society just helped to keep off the demon of loneliness from a spirit which preyed upon itself; but in these intimacies there was also a sad want of that equality which is required for the full and healthful exercise of the social powers and capacities, and of that respect which is necessary to give interest to conversation. It cannot be concealed that, generally speaking, among his intimates the dean had no companion. His former companions, the associates of his better days, were Pope and Bolingbroke, Gay and Arbuthnot, and those who formed their brilliant circle—and though jealous, irritable, and froward in his intercourse with courts, the dean loved to breathe within the atmosphere sunned by the beams of royalty. Deprived of these gay and proud excitements and that congenial intercourse, he dwelt in a gloomy home uncheered by any tie. His life from henceforth is marked with uniform gloom, discontent, and irritation, and with occasional excitements, which were sometimes an intermission and sometimes but the delirium of his malady. Of this last-mentioned description might be regarded much of his intercourse with the inner circle of intimates who were in the habit of collecting round him twice a-week in the deanery house, to dispel its sombre atmosphere of dark dreams by extravagant mirth and humour, carried far beyond the limits within which they are usually tolerated. In those meetings the order of the day was prank and practical humour and boisterous hilarity, differing from the uproarious abandonment of wild children in no way but that there was a

\* Vol. xvii. p. 77

little more mischief of design and a little less equality. Swift who, in his moments of excitement, lost all sense of the dignity or self-respect of others, was in some respects unsafe to trifle with,—he had no dislike to meet the coarse humour which he could repay; but in the wildest flow of folly the heedless wit who might be tempted to infringe a hair's breath upon the pride or the feelings of the dean might as well have trodden upon a viper. Such a circle, nevertheless, kept up the cold excitement of his weary and monotonous existence, which probably appears invested in memoirs with an interest that did not really belong to it, because inevitably in these records it is only those marked passages of life which form the exceptions that are brought together and made to fill an apparent space, while the slow and weary stages between these stirring or lucid intervals are not and cannot be represented.

During the lieutenancy of Carteret, the dean exercised a private influence with this nobleman in behalf of his own friends; for some of whom he was so fortunate as to obtain small preferments: but in the efforts which he made to be admitted to any station of trust, which might enable him to serve the interests of his country, he was uniformly refused. The following narration is taken from "Swiftiana" by Scott, from whose note we extract it: "He never could prevail upon Lord Carteret to nominate him one of the trustees of the linen manufactory, or even a justice of the peace. His lordship always replied, 'I am sure, Mr Dean, you despise those feathers and would not accept of them.' The dean answered, 'No, my lord, I do not, as I might be serviceable to the public in both capacities; but as I would not be governed by your excellency, nor job at the board, or suffer abuses to pass there, or at a quarter-session assizes, I know that you will not indulge me, for the good of this unhappy nation; but if I were a worthless member of parliament, or a bishop, would vote for the court and betray my country, then you would readily grant my request.' Lord Carteret replied, with equal freedom and politeness, 'what you say is literally true, and therefore you must excuse me.'"

As might be presumed, his spirits often found their more congenial and healthful exercise in efforts for the public good; he endeavoured to rouse the people to a sense of their just rights, and impress those in office and station with a sense of what was due to justice, humanity, and good policy. In this vocation he published numerous tracts of various descriptions, of which Sir Walter distinguishes one as an "inimitable piece of irony," in which he proposes a plan for the relief of distress, by causing the rich to feed upon poor people's children. In this, the method and style of a real speculation are so gravely kept up, the circumstantial details and calculations so precisely stated, and the usual tone of the earnest projector so critically supported; that it completely imposed upon some foreign economist, as a proof of the extreme destitution of Ireland.

Such conduct exasperated the government party in Ireland, and confirmed the prejudices of the court. He on his own part became gradually more and more violent in his dislike to the queen, the premier, and even to Mrs Howard. It was not until a little after his return to Ireland, that the actual inefficiency of this lady was made manifest by many circumstances, among which, that which came most



prominently before the dean and his friends, was the fate of Gay, who having a promise of preferment from the princess, had in his simplicity thought fit to devote himself to her bedchamber-woman, and accordingly, after the accession of his ostensible patron to the crown, the claim which could not be set aside was satisfied by a preferment which marked more slight than favour, and Gay had the spirit to refuse it. This incident excited the indignation of his friends and was made the thesis for much severe reflection. But the dean had his own sense of injury treasured within his angry recollection; he secretly felt the derogatory position in which he had been placed, while he had worshipped an imaginary influence in the person of Mrs Howard; this lady, he felt, had, by the illusion of her smiles, abetted by his own mistake, diverted him from the true source of court favour; and the thought, too obvious to be missed, and too mortifying to be confessed, must have risen, clothed in all the gall of bitterness, to his heart. This spirit breaks out in many of his letters to herself and to her friends, in which the heedless reader is surprised at the mixture of irritability and want of candour; while a moment's reflection shows the true temper of the writer, moved by a silent anger and quarrelling about straws.

The remainder of Swift's life is little diversified by marked events; though it would be an easy task to collect a volume of amusing and characteristic anecdotes. But having in this memoir endeavoured to discuss with some fulness those points of prominent interest which have continued from Swift's time to the present to be discussed as doubtful and curious, we shall endeavour to come more briefly to a conclusion.

To the very latest period during which he retained the possession of his understanding, he continued to exert himself, according to his own views, for the advantage of Ireland; with the native independence of his character, combating alike the opposite pretensions or corruption of different parties.

As dean of St Patrick's, his conduct was, according to every account, exemplary. He paid the most strict attention to the affairs and temporalities of the cathedral; watched with the most unremitting vigilance the conduct of all who were placed under his jurisdiction, and was not less constant and careful in the faithful discharge of his own duties. He preached in his turn, and administered the sacrament once a-week. From that peculiar scorn of affectation and hypocrisy which was a part of his character, he rather suppressed the appearance of piety; and this error (for such we must regard it) was apparently aggravated by other peculiarities of manner, already known to the reader; it is nevertheless well ascertained that he was both assiduous and fervent in his private devotions, for which he had regular hours, and a private closet to which it was so much his habit to retire, that in the very latest moments, during which he showed any signs of recollection, this habit still asserted itself.

In the perusal of his correspondence throughout this latter interval of his life, the reader may with melancholy interest trace the departure of earthly desires and expectations; the diminution of all enjoyments, the increase of infirmities, and the seemingly slow, but ever

swift and sure passing away of the vain illusions of life. In Swift, a morbid tone, which was constitutionally inherent in his character, threw a shade of more than common gloom over those prospects of declining life which disease can hardly exaggerate, and which our healthful spirits only conceal; for many years he awoke each morning possessed by the contemplations of death; and though easily excited to momentary mirth, yet his habitual mood was one of suffering, and unhappy reflection and recollection.

Yet through a long interval of increasing infirmity he continued to retain the powers of his intellect; and several of his most bright and spirited effusions belong to a late period of his life: the anecdote of his quarrel with Mr Sergeant Bettisworth, occasioned by a rhyme, is well known, and would lose by being briefly related. His attack on the Irish Commons, under the denomination of the "legion club," as it was the last, so it is among the most spirited of his satirical productions. In the transcription of this poem, he was seized with a violent fit of the giddiness to which he had all his life been subject, and never entirely shook off its effects. The composition here mentioned was chiefly provoked by an effort of the House of Commons to oppress the Irish clergy.

About the same time he strongly resisted a plan of Primate Boulter's for diminishing the value of the gold coin; this we shall state in our notice of that prelate: it is mentioned as the last instance of his interference in public affairs.

He nevertheless was not unoccupied by the avocations of literature, but had in 1737 formed a strong desire to publish his history of the peace of Utrecht. His friends soon obtained a knowledge of his intention, and the Earl of Oxford became very anxious to have the manuscript submitted to his revision, before it should be published. Several letters passed between them in consequence, and the proposal was also urged by Mr Lewis and others who felt a deep and personal interest in the representations which the dean might be led to make. The dean knew very well that he had not in this work uniformly consulted the private prepossessions of his friends, and was reluctant to have the trouble and irritation attendant upon such an inspection, and he evaded the request of his friend for some time, but at last gave way. Many strong objections were made, among which the chief was, the danger to be incurred by the severity with which the characters of several of the leading Whigs were drawn. The consequence was, that the history was suppressed at the time; the original copies were lost, and a publication appeared from some surreptitious copy in 1758. It seems to be a curious circumstance, that the anonymous publisher was violent in his opposition to the politics of the work—a fact displayed in the preface.

The dean also at this time meditated the publication of his "Instructions to Servants," a fragment on which he is said to have bestowed great pains, and which is amongst the most characteristic of all his productions. It seems also to have been the result of an experience, arising from the dean's peculiar habits in his domestic life: this connection is easily traceable in a variety of very curious stories, which are very generally known, having for the most part found their way



into numerous collections of anecdotes. They uniformly indicate the despotic temper and the peremptory decision of his mind, combined with, and often controlled by, his love of frolic and humour; nor are there wanting in them pleasing instances of the interposition of a benevolent temper. There is a peculiar vindictiveness marked at times in the exercise of singular fun and drollery, so as in some degree to remind the hearer of some of those monsters of fiction which exercise a cat-like playfulness upon the terrors of their victims. The same stories, also, as well as the instructions, mark the curious precision of the dean in observing the habits of servants. One of the effects of this habit and temper was the mixture of great occasional familiarity with his usual severity. In several instances it also appears that his own ways were no less keenly observed, and his own spirit caught by the intelligence of the servants. One case we relate for its extreme singularity:—"He and some friends resolved to celebrate a classical saturnalia at the deanery, and actually placed their servants at table, while they themselves attended upon them. The butler, who represented the dean, acted his master to the life. He sent Swift to the cellar in quest of some particular wine, then affected to be discontented with the wine he brought, and commanded him to bring another sort. The dean submissively obeyed, took the bottle to the sideboard and decanted it, while the butler still abused him in his own style, and charged him with reserving some of the grounds for his own drinking. The dean, it was observed, did not relish the jest, but it was carried on as long as it gave amusement: when the tables were removed, the scene reversed; an entertainment was served up for the proper guests, and everything conducted by the very servants who had partaken of the saturnalia, in an orderly and respectful manner."

Swift, though his infirmities confined him to Ireland, never ceased through the whole of this long interval to look with a gloomy longing to England. The peculiar nature of those infirmities was such as to require that he should have about him those who would accommodate themselves to his humours, and submit to his caprices, rather than the more congenial and more distinguished circle in which habit, and the differences of rank, would render such concessions less to be looked for. Among his English intimates, the wish was also cherished for his presence among them. So late as 1732, Bolingbroke succeeded in negotiating an exchange between the deanery and the English living of Burfield, in Berkshire. But it was now late to satisfy any favourite object of Swift's, and would have exacted a sacrifice both of rank and income, which at his time of life would be only attended by its obvious inconveniences. At the same time, the circle of his friends began to be broken by death: Gay died in 1732, and Arbuthnot in 1734, and the shock is apparent which these events gave to one who was himself fast descending into the shadows of decay. "The death of Mr Gay and the doctor," he says in one of his letters, "have been terrible wounds near my heart. Their living would have been a great comfort to me, although I should never have seen them; like a sum of money in a bank, from which I should receive at least annual interest, as I do from you, and have done from my Lord Bolingbroke." And thus, one after another, in the common progress so uniformly repeated in



every human history, light after light faded and dropped away into the silence of the tomb. Bolingbroke and Pope were the last survivors upon the scene; and the fast increase of their infirmities soon began to diminish, and finally terminate the intercourse between them—the most painful circumstance of human friendships in this transitory scene.

The symptoms of decay were rapidly accumulating power in the dean, and giving no uncertain indication of the course which they were likely to take. His excessive irritability of temper, and the increasing frequency of those fits of vertigo to which he had so long been subject, appeared to show the chief point to which the progress of his diseases approached, and he had, it is known, himself always entertained a melancholy foreboding of insanity. Every reader may recollect the well-known story told by Dr Young, who mentioned that he was one of a walking party with the dean in 1717, and when the dean was missed at some part of their walk, he returned to look for him; he found him standing in silent meditation before an old elm tree, and when he accosted him, the dean pointed up to its summit which was in a state of decay, and said, "I shall be like that tree, I shall die at the top."

How far the disposition which he made of his property may have been influenced by this presentiment, is a question not to be distinctly ascertained; yet we can entertain but little doubt that it must have mainly operated to decide him. In 1732 he applied to the corporation for a plot of ground called Oxmantown Green, for the purpose of founding there an endowment for fools and lunatics; a request which was at once complied with. Some time after, there was a bill introduced into the parliament of Ireland, to prevent the disposition of property by will for religious or charitable uses, and the dean petitioned for an exception in favour of his meditated plan, and stated, that unless it were complied with he intended to remit his fortune to be applied to similar purposes in foreign countries. The mortmain act was not, however, brought in. Among the latest of his letters we find some upon the subject, chiefly relative to a plan for the investment of such monies as he possessed under several securities and in small sums, in some one secure and profitable estate; in this object he met with some impediments, and did not pursue it to any conclusion.

During the last years of his life the dean was chiefly taken care of by his cousin, Mrs Whiteway, a lady of great goodness, and very considerable talent, as appears from the numerous letters which are to be found in the published correspondence of the dean. Her care and tenderness had become essentially necessary to his health, and the ease of his declining age. He was exposed to the knavery and malignity of intimates of a different description. A Mr Wilson, one of the prebends of the cathedral, had succeeded in winding into his favour by flattery and sycophancy, and made use of the opportunities thus obtained for the most base and infamous purposes. Among other things, it was observed that he always came to the deanery with an empty portmanteau, which was full on his departure, and suspicion being excited, it was soon found that large quantities of the dean's

books were beginning to disappear. He some time after endeavoured to compel the dean by intimidation to nominate him sub-dean of the chapter; and when Swift refused, had recourse to the most disgraceful acts of violence. On one occasion he prevailed upon the dean to visit him at his glebe-house, and it was while on their way in the dean's own carriage that a most disgraceful scene occurred; the dean's servants interfered, and Wilson was turned out upon the road. He endeavoured to justify himself by a statement made on affidavit, in which he ascribes the struggle, which, says Sir Walter, "certainly took place, to a fit of frenzy on the part of the dean."

To such aggressions the infirmities and the failure of memory must at this time have exposed the dean, were it not for the continual and solicitous vigilance of Mrs Whiteway. Her influence was not, however, always successful to shut his door against the worthless parasite, who, by flattering his infirmities of temper, sometimes obtained an ascendancy. Upon one occasion, seeing that her efforts were to no purpose, after a long altercation, Mrs Whiteway stood up and said, with a courtesy, "I'll leave you sir, to your flatterers and sycophants," and left the deanery in anger; for which, considering the known coarseness of the dean, she had perhaps abundant reason. The dean, whose anger was confined to the moment, quickly repented, and took means of a very characteristic nature to set all right between them. "For two days," as Scott tells the story, "she kept her resolution; and in that time had more than a dozen visitors at her door, who inquired with great concern for her health, after the unhappy circumstance that had befallen her. The fact was, the dean had gone round to his friends, and with a serious face deplored the misfortune that he himself had witnessed, that Mrs Whiteway had been suddenly seized with a fit of madness, and had been taken home in a most distracted state of mind. When he thought the deception had sufficiently worked, he called, and making her a silent bow, sat down. Mr Deane Swift was in the room, being at that time on a visit at Mrs Whiteway's. The dean conversed with him about ten minutes, without interchanging a word or a look with Mrs Whiteway. He then got up, looked kindly at Mrs Whiteway, and turning to Mr Swift, 'half this visit was to you, sir.' In uttering the word half he glanced his eye at Mrs Whiteway, bowed to them both, and withdrew. Their cordiality was instantly renewed."

Such is, perhaps, a sadly faithful portraiture of Swift's declining years. The morbid irritability of his temper was rapidly increasing in frequency and violence; and the fits of vertigo, to which he had during the greater part of his life been subject, were also becoming of more continual recurrence. A letter, which is said to be almost the last document which remains of him as a rational and reflecting being, is dated July 26, 1740, and is remarkable for the awful distinctness of the link which it supplies in the history of his closing years. It is written to Mrs Whiteway:—"I have been very miserable all night, and to-day extremely deaf and full of pain. I am so stupid and confounded, that I cannot express the mortification I am under both in body and mind. All I can say is that I am not in torture, but I daily and hourly expect it. Pray let me know how your health is, and your

family. I hardly understand one word I write. I am sure my days will be very few; few and miserable they must be.

"I am for those few days, yours entirely,

"J. SWIFT.

"If I do not blunder, it is Saturday

"July 26, 1740."

He shortly after fell into that state, the most dreadful that can be conceived among the most numerous and complicated ills of humanity. To assign remote causes for the disorders to which the intellect may become subject, is perhaps presumptuous and empirical: too little can be known of the mysterious combinations of the elements of mind and matter, to speak upon the subject without language which must contain some fallacy, or some unwarranted assumption. But in the contemplation of Swift's life there is a well-marked uniformity in the deeply traced lines of character and conduct, which seemed to converge to the actual result of insanity;—there seems, when viewed, with reference to such a notion, some degree of this to have been transfused through all the courses of his life, appearing like some black undertexture that throws its saddening tint up through gay hues and glittering images. Of this complexion was the morbid prejudice; the exorbitant exaction of pride; the frenzied irritability; the splenetic and satirical indignation; and the inexplicably eccentric courses of conduct which he pursued towards Stella, as well as generally, in all that we have recorded of his domestic life.

The first form in which his disease appeared, was that of raging and frantic insanity. Trustees and guardians were immediately appointed for his estate and person. He was placed under the care of Dr Lyons, a clergyman, whose argument we have already noticed on the subject of his marriage. The following account was written by Dr Delany—we transcribe it entire:—"In the beginning of the year 1741, his understanding was so much impaired, and his passion so greatly increased, that he was utterly incapable of conversation. Strangers were not permitted to approach him, and his friends found it necessary to have guardians appointed of his person and estate. Early in the year 1742, his reason was wholly subverted, and his rage became absolute madness. The last person whom he knew was Mrs White-way; and the sight of her, when he knew her no longer, threw him into fits of rage so violent and dreadful, that she was forced to leave him; and the only act of kindness that remained in her power, was to call once or twice a-week at the deanery, inquire after his health, and see that proper care was taken of him. Sometimes she would steal a look at him when his back was towards her, but did not dare to venture into his sight. He would neither eat nor drink while the servants who brought him his provisions staid in the room. His meat, which was always served up ready cut, he would sometimes suffer to stand an hour upon the table before he would touch it: and at last, he would eat it walking; for, during this miserable state of his mind it was his constant custom to walk ten hours a-day. In October 1742, after this frenzy had continued several months, his left eye swelled to the size of an egg, and the lid appeared to be so much inflamed and discoloured, that the surgeon expected it would mortify. Several large



boils also broke out on his arms and body. The extreme pain of this tumour kept him waking near a month; and during one week it was, with difficulty that five persons kept him, by mere force, from tearing out his eyes. Just before the tumour perfectly subsided, and the pain left him, he knew Mrs Whiteway, took her by the hand, and spoke to her with former kindness: that day, and the day following, he knew his physician and surgeon, and all his family, and appeared so far to have recovered his understanding and temper that the surgeon was not without hopes that he might once more enjoy society, and be amused with the company of his old friends. This hope was, however, but of short duration; for, a few days afterwards he sunk into a state of total insensibility, slept much, and could not, without great difficulty, be tempted to walk across the room. This was the effect of another bodily disease—his brain being loaded with water. Mr Stevens, an ingenious clergyman of his chapter, pronounced this to be the cause during his illness; and, upon opening his head, it appeared he was not mistaken; but, though he often entreated the dean's friends and physicians that his skull might be trepanned, and the water discharged, no regard was paid to his opinion or advice.

"After the dean had continued silent a whole year in this helpless state of idiocy, his housekeeper went into the room, on the 30th of November, in the morning, telling him it was his birthday, and that bonfires and illuminations were preparing to celebrate it as usual—to this, he immediately replied—'It is all folly, they had better leave it alone.'

"He would often attempt to speak his mind, but could not recollect words to express his meaning; upon which he would shrug up his shoulders, shake his head, and sigh heartily." We pass some portions of Dr Delany's interesting narrative, to the last instance of any attempt of the dean's to express himself by language. "In the year 1744, he now and then called his servant by his name, and once attempted to speak to him, but not being able to express his meaning, he showed signs of much uneasiness; and at last said, 'I am a fool.' Once afterwards, as the same servant was taking away his watch, he said, 'bring it here;' and when the same servant was breaking a hard coal, he said, 'that is a stone, you blockhead!'

"From this time he was perfectly silent, till the latter end of October, 1745, and then died without the least pang or convulsion, in the 78th year of his age."

This account, from the hand of Delany, may be best closed by the language of Scott:—"It was then that the gratitude of the Irish showed itself in the full glow of national enthusiasm. The interval was forgotten, during which their great patriot had been dead to the world, and he was wept and mourned, as if he had been called away in the full career of his public services. Young and old of all ranks surrounded the house to pay their last tribute of sorrow and affection. Locks of his hair were so eagerly sought after, that Mr Sheridan happily applies to the enthusiasm of the citizens of Dublin, the lines of Shakspeare:—

"Yea, beg a hair of him for memory,  
And dying, mention it within their wills,  
Bequeathing it as a rich legacy  
Unto their issue."

An extract from Mr Mason gives the most graphic sketch of the affecting incidents connected with this event :—"A person, who resides in my family is one of the few persons, perhaps the only one now living, who witnessed this melancholy spectacle. 'She remembers him as well as if it was but yesterday; he was laid out in his own hall, and great crowds went to see him. His coffin was open; he had on his head neither cap nor wig; there was not much hair on the front or very top; but it was long and thick behind, very white, and was like flax on the pillow. Mrs Barnard, his nursetender, sat at his head; but, having occasion to leave the room for a short time, some person cut a lock of his hair from his head, which she missed upon her return; and after that day no person was admitted to see him.'"

It is on good grounds supposed that the executors intended to bury him with a privacy so strict as to involve an unsuitable obscurity. But they were deterred from such a course by the remonstrances of Mrs Whiteway. His remains were, however, interred privately, according to his own express desire, in the aisle of his cathedral, with the following inscription, from his own pen :—

HIC DEPOSITUM EST CORPUS  
JONATHAN SWIFT, S.T.P.  
HJUS ECCLESIE CATHEDRALIS  
DECANI :  
UBI SEVA INDIGNATIO  
ULTERIUS COR LACERARE NEQUIT.  
ABI VIATOR  
ET IMITARE, SI POTERIS,  
STRENUM PRO VIRILI LIBERTATE VINDICEM.  
OBITI ANNO (1745);  
MENSIS OCTOBRIIS DIE (19),  
ÆTATIS ANNO (78).

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JOHN STERNE, BISHOP OF CLOGHER.

BORN A.D. 1660.—DIED A.D. 1745.

THE father of the worthy and eminent prelate here to be noticed, was himself a man of no inferior note in his day for learning and talent : his mother was sister to Primate Usher, at whose house he was born. He obtained a fellowship in the University of Dublin, had the honour to be ejected by the Earl of Tyrconnel, and reinstated at the Restoration. He was professor of physic in the University, but is said to have been more addicted to theology than medical science. He died early, and was interred in the College Chapel, where a monument was raised to his memory.

His son John received also his education in the University of Dublin, where he was, most probably, under the tuition of his father. He was first preferred to the Vicarage of Trim, and became afterwards Chancellor and then Dean of St Patrick's. At this point we are enabled to trace his course in a variety of sources of authority, especially from the journals and correspondence of Dean Swift, with whose fortunes the main events of his life were in some degree interwoven. These notices

do not amount to anything very distinct; but in truth the records of a life spent in good deeds, and in the quiet pursuits of study, demand no lengthened space.

While he was Dean of St Patrick's, Sterne expended large sums on the deanery house, which he entirely rebuilt. He was a large collector of books, and formed a valuable and extensive library. He is no less celebrated for his hospitality, and won universal kindness among the inferior clergy by his open-hearted beneficence. He lived on terms of nearly domestic intimacy with Swift, to whom, it can be ascertained, his house was a constant resource in town, and his purse was freely offered at a moment when it must have appeared important. While Swift was in London anxiously cultivating the prospects of preferment which were held out to him by the friendship of the Tory ministers, Sterne's house was the main resource of his female friends in Ireland. But through the whole of this intimacy (so far as it can be traced), there is perceptible in Swift a splenetic recoil from the friendship of Sterne; for which, in the absence of any distinct incident, we can only account by referring it to some characteristic antipathy. Whatever we may have thought of the genius and of the strangely alloyed virtues of Swift, there can be no hesitation in asserting that, as a test of reputation,\* his dislike must be far outweighed by the friendship and confidence of a man like Archbishop King. This testimony may be found in King's letter to Swift himself, when he was appointed to the deanery, as well as in his letter to Sterne on the same occasion. The Archbishop mentions Sterne as one in whose prudence and ability he had found the most efficient counsel and assistance in the responsible and difficult duties of his station; and expresses his strong conviction that he would be the best qualified person to succeed himself in the metropolitan see. This, considering the stern and severe truth of King, who was far above mixing a particle of flattery with his approbation, was high praise, and may now be called an honourable memorial.

Sterne, during the interval of his holding the deanery, expended also a large sum on the cathedral; and on his promotion, left £1000 to build a spire. He was successively raised to the sees of Dromore in 1713, and of Clogher in 1717. In both he rebuilt the episcopal residences. His benefactions to the Church were considerable, both during his life and at his death, which occurred in June 1745, in his eighty-fourth year.

Honourable mention is made of Sterne for his scrupulous caution in the examination of candidates for holy orders, whom he examined thoroughly for a week—his examinations being conducted in the Latin tongue, in which he had the reputation of being a proficient of the first order.

Sterne's bequests to the public and to the Church are his noblest monument; they enumerated by Bishop Mant, and we shall avail ourselves here (as we have often already) of his industry:—"The Episcopal mansion-house of Dromore and Clogher, as well as the deanery-house of St Patrick's, were entirely rebuilt by him. Towards finishing the Cathedral Church of Clogher, if not finished by himself in

\* See his letter to Sterne in his works, vol. xiii., or in Mant's Hist. ii. 546.



his lifetime, he bequeathed £1500 or £2000, to be determined by his executors; and towards building a spire on the steeple of St Patrick's Cathedral he left £1000, provided the work should be seriously undertaken within six years of his decease. To explain the catechism twice-a-week in the city of Dublin, he bequeathed an annual sum of £80 for a catechist, to be chosen three years by the beneficed clergy, and £40 for a clergyman to officiate regularly in Dr Steven's Hospital. To these may be added, a donation of £400 to the Blue-Coat Hospital for the education of poor children; and a bequest of £100 a-year for apprenticing children of decayed clergymen. Ten exhibitions of £50 a-year, entrusted to the provost and senior fellows of Trinity, testifying his desire of encouraging education in sound religion and useful learning, which was further shown by a donation of £100 to the university for building a printing-house, and £200 more to the purchase of types. To the university also, of which he was vice-chancellor, he presented his valuable collection of manuscripts. His books—such as were not already in Primate Marsh's library—he left to increase that collection; and the remainder to be sold, and the purchase-money distributed among the curates of the diocese of Clogher; at whose request, however, the books themselves were, by the bishop's executors, divided amongst them. To purchase glebes and impropriations for resident incumbents he gave £2000 to the trustees of the first-fruits, providing against the entire waste of the principal sum, by allowing only one-third of the purchased tithes to the incumbent, until the residue had replaced the principal sum expended."

His publications were composed in Latin, and obtained high contemporary praise for their utility. His treatise on the "Visitation of the Sick" was published in Dublin in 1697, and is characterised by Nichols as "short but comprehensive and valuably useful." The Clarendon press have republished it in 1807; and this will be allowed no inferior test of its merits.

## EDWARD SYNGE, ARCHBISHOP OF TUAM.

CONSECRATED A.D. 1714.—DIED A.D. 1741.

EDWARD SYNGE was son to Dr Synge, Bishop of Cork. Bishop Mant mentions some curious particulars concerning the family, the name of which seems to have been first conferred by Queen Elizabeth on one of her choir for the sweetness of his voice. The original name appears to have been Millington.

Of this family, two brothers, George and Edward, became bishops in Ireland. The subject of this memoir was son of the latter. In 1714, he was promoted to the see of Raphoe, when in the 55th year of his age; in 1716, he was translated to Tuam.

He is to be distinguished as an antagonist of Toland, to whose infidel work, "Christianity not Mysterious," he wrote a reply.

He is also to be recollected with honour for having resigned in favour of the clergy of his diocese the fourth part of the tithes of most of the parishes of which he possessed the title. This right, we are

informed by Bishop Mant, the Archbishop of Tuam possessed from very early times; it was a heavy imposition on the clergy, who were deprived of two other parts by the claims of lay proprietors. As this evil had been observed long before any attempts were made for its remedy, owing to the interference of the rebellion of 1641, the measure failed with regard to Tuam. After the restoration, the three succeeding archbishops were allowed to retain possession of their fourth part; and there was no reason to suppose that any effectual interference would be further attempted. The justice and liberality of Synge freely relinquished what the petitions of the clergy and the wishes of Government had not won from his predecessor. In the parliament next after his translation, he obtained an act divesting himself and his successors for ever of the fourth parts hitherto claimed, and settling them on the incumbents of the respective parishes from which they were payable.

In a letter from Archbishop King to the Archbishop of Canterbury, he says, after describing the wretched state of Clonfert:—"The neighbouring diocese of Tuam was much in the same condition by the negligence of the former archbishops; but by placing Dr Synge in it, it begins to change its face. His Grace has gone a great way in building a manse-house, which has already cost him about £2000, and will cost him, I believe about £1500 more before he finishes it. He has given up the *quarta pars Episcopalis* held by all his predecessors, and yet, by prudent management, has very little lessened the yearly revenue; and, I am persuaded will, by the methods he prosecutes, leave it as good, if not better, than he found it; and all this without lawsuits, and with the consent of the tenants. He has also got several new churches and cures, and is projecting more. I pray God preserve him to finish his good designs."

In 1720, when the infirmities of Archbishop King prevented him from holding his visitation, he had recourse to the aid of Synge. Holding the same political principles, they were equally distrusted by the government. But the Archbishop of Dublin, not willing to expose his brother prelate to the necessity of pronouncing, on his own authority, sentiments which might draw down the displeasure of the Irish government, wrote him a letter, expressive of the representations he wished to make to the clergy of the diocese. In this letter he begs to have his clergy reminded "of the late act of parliament, by which a full liberty is given to all sects to set up their meetings, and propagate what doctrines they please. By this neither the civil nor the ecclesiastical courts have any power over them; so that we can neither help ourselves, nor call for any assistance from the civil magistrate. This, with several other statements, in opposition to the policy then pursued, was put forward by the Archbishop of Tuam in his charge, and he was in consequence called before the council, when, according to King, "a mighty business was made of it;" but Synge pleaded for himself so well that the matter was let drop.

A letter of Archbishop King, which Bishop Mant refers to the year 1722, gives an account of the great improvements made by Synge in his diocese.

In 1730, the Archbishop had the satisfaction of consecrating his

eldest son for the Bishoprick of Clonfert, when the consecration sermon was preached by his second son, afterwards Bishop of Killaloe.

The Archbishop died in 1741, and was interred in the churchyard of his own cathedra.

His writings, though not such as to demand a lengthened comment, were, nevertheless, worthy of the reputation which he maintained through life, of a scholar and a Christian. Bishop Mant says of them:—"They consisted, for the most part, of small tracts written in a sensible and easy manner. A list of them amounting in number to fifty-nine, is given in Mr Nichol's "Literary Anecdotes of the Eighteenth Century;" and they are stated to have been again and again printed in large numbers by Mr Bowyer. Collected they form four duodecimo volumes. Of the author it has been said, that his life was as exemplary as his writings were instructive; and, that what he wrote he believed, and what he believed he practised.\*

#### HUGH BOULTER, PRIMATE.

BORN A.D. 1671.—DIED A.D. 1742.

HUGH BOULTER was born in London, in 1671. He finished his education at Magdalen College, Oxford, where he was elected a demie at the same time with Dr Wilestead, Dr Joseph Wilcox, and Addison. The distinguished learning and ability of the four obtained for this election the name of "the golden election." Boulter obtained a fellowship in his college. On leaving it he was successively chaplain to the archbishop of Canterbury; rector of St Olaves, Southwark; archdeacon of Surrey; chaplain to George I., and tutor to his grandson Frederick, prince of Wales. He was next consecrated bishop of Bristol in 1719, and at the same time obtained the deanery of Christ Church, Oxford.

In 1724 he was promoted to the archiepiscopal see of Armagh, which he accepted with reluctance, at the strongly expressed desire of the king. From this period his life, together with the general history of Irish affairs, may be traced in his letters, from which, nevertheless, we are under the necessity of drawing rather more sparingly than we should wish. His appointment was altogether a measure of government policy, with the purpose of having a person on the spot on whose advice they could prudently rely, and to whom they might trust the weight and sanction of government influence and authority.

The following extract from a letter to Lord Townsend is sufficient to give the clearest conception of Boulter's political views, and of the understanding which subsisted between him and the English cabinet:—"But whatever my post is here, the only thing that can make it agreeable to me, who would have been very well content with a less station in my own country, is, if I may be enabled to serve his majesty and my country here, which it will be impossible for me to do according to my wishes if the English interest be not thoroughly supported from

\* History of the Irish Church, ii. 561.



the other side. When I left England, I did not doubt but your lordship was sufficiently sensible how much this had been neglected for many years, and of the necessity there was of taking other measures for the future." After adverting to a few particular appointments, he goes on to say, that the English in Ireland think "the only way to keep things quiet here, and to make them easy to the ministry, is by filling the great places with natives of England; and all we would beg is, where there is any doubt with your lordship about the consequence of a place here, that you would have the goodness to write hither to know its weight before it be disposed of." On this, one comment of bishop Mant's will save us some trouble:—"With respect, indeed, to appointments in the church, with which our subject chiefly connects us, it can hardly be supposed but that regard was had to the professional qualities of the persons advanced to its stations of dignity, emolument, and trust; the rather because, in the performance of his own pastoral duties as a parochial clergyman, he is related to have been distinguished for his zeal; and to have discharged the duties of his high office, when bishop of Bristol, with the most unremitting attention. But it is remarkable, and it is calculated to excite a sentiment of dissatisfaction and disapprobation on perusal of the primate's letters, that very little is, in fact, said of the religious, the moral, the theological, the literary characters of those who are forward in supplying vacancies in the episcopate, and that their recommendations rest in a prominent degree on political and secular considerations."\*

The reader has already had occasion to observe the opposition of sentiment in this respect which existed between the primate and archbishop King, who frequently expressed in very strong terms his jealousy on the subject of English appointments. But while the chief aim of his episcopate was political, the primate was far from being insensible to the duties proper to his office, and is entitled to our grateful recollection of labours and sacrifices for the benefit of the Irish Church. He was not yet settled in his new station when he noticed, and endeavoured to find a remedy for, the poverty of the Irish clergy. The fund available for the relief of the poorer clergy being both miserably inadequate and at the same time heavily encumbered, primate Boulter conceived the idea of relieving it from its encumbrances by a subscription among the bishops and clergy. This plan obtained the consent of most of the bishops; but after very considerable exertions, it was found impracticable, and accordingly dropped.

In the state letters of the primate, which are our chief materials for this notice, there may be found a very detailed view of Irish affairs through the close of this period. The primate was impressed with a sentiment of prepossession against the Irish and the principles of the popular party, and a proportional sense of the importance of the English interest, and carried this sense to its utmost length in his endeavours to preserve the ascendancy of the latter. This is in no way more displayed than in the vigilant circumspection with which he watched over appointments—a subject which curiously pervades all his correspondence.

\* Hist. of the Irish Church, ii. 424.

The primate was not many months in Ireland when he gave his careful and sagacious attention to the affairs of the excise, and pointed out, as one of the causes of the deficiency of the Irish revenue, the "fall of the customs by vast quantities of goods being run here from the Isle of Man, which is the great magazine of goods intended to be run." He proceeds to propose the remedy, which was forty years afterwards adopted against this evil. "And the only remedy we talk of here for this evil is, if his majesty were to buy the island of the earl of Derby."

The disturbances already related in consequence of the patent granted to Mr Wood, for the coinage of halfpence, took place at this time: and the primate expressed very strongly, in several communications, his anxiety to have the public mind quieted by the revocation of the measure. His advice must have had weight with the English cabinet. A little after, when Wood surrendered the patent, and a resolution for an address was proposed in both houses of the Irish parliament, there was a sharp struggle in the lords on some words in the address: the combat was led, and chiefly maintained, on the part of the government, by the primate. The popular leaders, in thanking the king for putting an end to Wood's patent, wished at the same time to convey their sense of its merits, by carrying the point that the words, "great wisdom," should be added before the words, "royal favour and condescension;" thus, according to the primate's view, which was confirmed by their speeches, casting a censure on the English cabinet. The obnoxious words were, however, rejected by a majority of twenty-one against twelve. Archbishop King was the leader of the opposite party on this occasion, and the mover of the objectionable amendment. The primate's victory was solemnized by the burning of "an impudent poem on these debates," which came from the pen of Swift. Besides the direct advantage of having repelled an attack, the primate considered it advantageous as a fair trial of strength, of which the result would secure a peaceable session.

Among the chief subjects of interest which at this time occupied the attention of primate Boulter, were the regulation of the coins, and the occasional difficulties which occurred on questions affecting the revenue. The difficulties in the management of the House of Commons, on all questions of this nature, appear to have been greater than upon any other. There seems, in 1725, to have been a heavy arrear due to the army, and a great reluctance to make it good, otherwise than by an application for the purpose of the ordinary revenue. The opposition who proposed this expedient were, with difficulty, induced to consent to a different arrangement, which having passed the house, was factiously impeded by the personal exertions of the opposition members. The agreement was, that debentures should be issued to the army, and to the officers on half-pay, for the interest of their claims: these were to pass on the security of parliament, which was to make good the payment to a certain amount. The opposition members, however, exerted themselves to deter the bankers from giving money upon these warrants.

It may be of more interest to mention, that in the course of these struggles the primate had occasion to observe, and urged strongly on



government, the mischief of buying off opposition with places and other favours—an imprudence then much resorted to, notwithstanding the obvious effect of making opposition more profitable than service, and also giving sanction to the inference of a secret leaning on the part of government against its avowed policy. This error is the more worthy of special notice, because it is the first expedient which at all times presents itself to the fears of weak or incompetent administrations. If such compacts did not necessarily involve fraud as their very basis, and were not therefore ineffective, yet it is obvious that their first real effect must be to raise a fresh and increased horde of clamourers, still more loud, to be silenced by the same means. On the other hand, we cannot equally approve of the primate's desire to visit with the displeasure of government those gentlemen who gave trouble to government in their place as members of parliament.

There was, in truth, no legislative wisdom in the Irish parliament adequate to the government of a country of which the condition was anomalous, and of which the political elements were discordant. It was considered essential that they should be in some way overruled; but the high privileges which had been, it was believed, prematurely established in favour of the Irish parliament, gave an appearance of illegality, oppression, and encroachment to steps which were thought to be necessary. Political knowledge is of tardy growth, and it was not possible that a system which involved stretches of power among its necessary resources should not, at times, approach too near the limit of despotism. An apology for such resources may be found in the history of the efforts of the primate, through many years, to remedy the state of the currency in Ireland. The case was this: there was a gross inequality in the relative prices of gold and silver; while the gold was current at a rate above that of English and foreign exchange, that of the silver was considerably below the same standard. The consequence was that the gold, which brought a high profit in Ireland, was used by bankers and agents to buy up the silver, on which a profit was again made in England and elsewhere; and all remittances to and from this country being made on the same principle, there was no silver left sufficient for the ordinary purposes of trade. As it was not possible to carry on any business without this medium, it became necessary to pay a high premium for it, being not less than eightpence in the pound—a deduction, from the nature of the occasion, liable to an indefinite increase. To increase the evil still more, the operation of this circumstance brought with it an inundation of light gold; and as there was a reduction of value for the deficiency of weight, it was found that the consequent loss was diminished upon coins of the higher denominations; for the defect upon one guinea being supposed equal to that on a piece worth four, it will at once be understood that three-fourths of the loss must be saved by paying with this inconvenient coin. The primate proposed, as a remedy for these evils, the raising the value of silver to nearly the same standard with that of England, and lowering the price of gold. With this proposal most sensible persons privately agreed; but it was highly disagreeable to the money-dealing classes, whose weight in the Commons was preponderant. Among the mercantile classes there was, indeed, an experience of the disadvantages arising



from a disordered currency; and many, in consequence, expressed themselves in favour of the measure. The House of Lords, too, was favourably disposed; but their first demonstration of this temper had the effect of producing a violent excitement in the lower house. The result was a long interval of delay. In some years after, the question was again taken up by the primate, and the measure which he perseveringly pressed was at length carried into effect. It was considered by himself and his friends as the most honourable and praiseworthy of his services to Ireland. It should be added, that he was fiercely resisted by Dean Swift and his party. It was, indeed, altogether impossible to carry any measure of real utility, without having to meet a factious opposition from the Commons, who seemed to consider the entire object of their existence to be the assertion of constitutional privileges, and the raising impediments of every sort to the interests of peace and order. Among the many incidents of this nature which the political character of Boulter brings under our notice, was their furious opposition to a bill for preventing riots in Dublin and the liberties, a measure of which the necessity was at the time universally felt; the chief objection was, that the bill had its origin in the Privy-Council—a mere pretext, when no other reason could be found; for the authority had been fully recognised, and continually exercised without question.

More in accordance with the aims proper to his holy office, primate Boulter had the honour of being associated with the first educational movement for the benefit of the Irish peasantry. It appears to have been the suggestion of Dr Maule, who was successively dean and bishop of Cloyne. "In the year 1730, in concurrence with a parochial clergyman of Dublin, the Rev. Mr Dawson, curate of St Michan's, he put forward 'an humble proposal for obtaining his majesty's royal charter to incorporate a society for promoting Christian knowledge amongst the poor natives of the kingdom of Ireland.'"

The proposal was favourably received by the king. "And the primate of Ireland, who greatly approved of the undertaking, collected at his house in Dublin a large assembly of persons of rank and distinction, in order to concert measures for forming and forwarding of a petition to the king." The petition describes at length the destitute condition of most parts of the country in regard to the knowledge of the first principles of religion and loyalty, and suggests, as the most effectual remedy, the establishment of a number of English Protestant schools. It next adverts to the efforts already made by the parish ministers to effect the same purpose, and mentions their failure, which it ascribes to the reluctance of the richer papists, and the poverty of the poorer, who were unable to pay the small stipends essential to the support of such an undertaking while it remained in private hands. The petition concludes by praying for a charter of incorporation, enabling such persons as might seem fit to accept of gifts, benefactions, &c., for the purpose designed, of erecting schools for the gratuitous education of the children of the poor. Conformably with the prayer of this petition, in 1733, letters patent were issued by which the lord-lieutenant, chancellor, primate, &c., were constituted into a corporate body by the title of the "Incorporated Society in Dublin, for promoting English Protestant schools in Ireland." The thread of bigotry inter-

woven with the petition is of course to be expected; but the zeal for the enlightenment of the peasantry is laudable, and throws a ray of light on the career of the much-abused primate Boulter.

The progress of this measure was slow; it met with insufficient liberality and zeal in its promotion, and was encountered by a great amount of prejudice and party feeling. Among the country gentlemen, there was then no wish for the improvement either of the mind or condition of the people. The power of exaction, and of local oppression, were best served by ignorance and barbarism; and it was too well understood, that the same qualities which made the peasantry formidable to peace and order, also placed them at the mercy of domestic tyrants. However the lawless multitude, when it rolls together like a mighty wave, may bear down all before it, it is law and settled principles only that can protect the individual. The primate's great and persevering efforts for this design are to be traced in his letters, and indicate both wisdom and patriotism.

Primate Boulter, if a dangerous enemy, was also a warm friend. It was by the earnest solicitation of several years that he obtained the advancement of his college friend, Mr Stephens, to a prebendal stall in Winchester. The generosity of the primate was yet more strongly shown towards Dr Wilestead, who had been his fellow-student, and had been elected demie in Oxford at the same time with him. Wilestead having fallen into low circumstances in his declining years, the primate allowed him £200 a-year for the remainder of his life. After his death, he supported his son as a commoner in the university of Oxford. With a liberal regard to the protection of learned men, he retained Ambrose Philips, whose name is still remembered from his quarrel and imaginary rivalry with Pope, as his secretary, though we know not how far he may have merited the sarcasm, "still, to one bishop Philips seems a wit."

The primate was in the highest sense a man of business through the whole nineteen years of his primacy—the real weight of the cabinet policy with regard to Ireland rested on his prudence and activity. The selection of public officers, and the filling up of the vacancies which occurred upon the judicial or the episcopal bench, was mainly governed by his counsel, and according to the principle which he proposed and kept in view. With this principle we have expressed the extent of our agreement and disagreement, but entertain no question as to the perfect sincerity of the primate.

The character of Boulter is more favourably seen in the honourable munificence of his disposal of a large part of his fortune for the advantage of the country. The account of his good deeds in this respect is so well summed up by bishop Mant, that we may abridge our labour by extracting it. "In one respect," writes the bishop, "he evidently is entitled to high commendation; namely, that the property which he derived from the church, he employed freely, bountifully, and beneficially, for the church's purposes, besides numerous other charitable uses of a secular kind, to which he devoted it, both in England and Ireland; the following ecclesiastical benefactions especially call for notice in the present work. The cure of the city of Armagh being too burdensome for the regular ministerial

provision, he placed in it an additional curate, with an especial obligation that he should celebrate divine service every Sunday afternoon, and read prayers twice every day. To several of his clergy, who were incapable of giving their children a proper education, he supplied means for maintaining their sons in the university, and thus qualifying them for future preferment. Both at Armagh and at Drogheda, he built houses for the widows of clergymen, and purchased estates for endowing them with annual allowances. To the protestant charter schools, which, although he did not institute them himself, he was mainly instrumental in establishing, he contributed considerable pecuniary assistance during his life; though the fact of his having made his will before their institution and, in the end, his sudden dissolution, prevented his conferring on them any post-obituary benefactions. The bulk of his property, after a suitable provision for his widow during her life, and a few testamentary bequests, was appropriated, to an amount exceeding £30,000, to the purchase of glebes for the clergy and the augmentation and improvement of small benefices; an appropriation which as it has been most usefully employed under the direction of the act of 29 George II. c. 10, enacted for the purpose, so has it contributed to the comfort and respectability and usefulness of many of the clergy, and deserves to be cherished in perpetual and grateful remembrance by every member of the church of Ireland.

Boulter died in September, 1742, in London, in the 71st year of his age.

#### THOMAS PARNELL, ARCHDEACON OF CLOGHER.

BORN A.D. 1679—DIED A.D. 1717.

PARNELL's family is traced by his biographers to Cheshire, whence his father, who had been a republican in the civil wars, came over to Ireland at the restoration, and being possessed of considerable wealth, purchased some property in Ireland. He also possessed an estate in Cheshire. Both of these estates descended to the son: but though we must presume them sufficient to raise him above want, yet they were not enough to set at rest a laudable desire to add to his usefulness and respectability by professional occupation.

Having entered the university of Dublin at the early age of thirteen, he took master's degree in 1700, when he was in his twenty-first year. In the same year, though deficient in age,—the canonical age being twenty-three,—he obtained a dispensation from the primate for this purpose, and was ordained to deacon's orders by archbishop King. It is to be inferred that his conduct was such as to elicit unusual approbation, as in no more than six years afterwards he was offered the vicarage of Finglass, worth £400 a-year, by so strict a prelate and so able a divine as King; this he refused in order to take the archdeaconry of Clogher from Dr St George Ashe, who had been a fellow of college, and had probably taken into consideration his merits as a scholar when in the university.

On this occasion, we are informed by bishop Mant, that he received



"an excellent letter of advice on his professional and future conduct, from his friend and patron, archbishop King, in whose unpublished MS. correspondence in Trinity college library the letter may be found under date of March 6, 1706."

At the end of Queen Anne's reign he went to London, in the hope of obtaining distinction and preferment, by means of his literary and professional abilities; and at this time we find many notices of him in Swift's journals and letters. Here he not only exerted himself as a preacher and as a political writer, but obtained ready notice as a poet, in which character he is best known to posterity. His introduction to the earl of Oxford is among the most honourable of Swift's achievements. In his journal to Stella he mentions,—“I contrived it so that the lord-treasurer came to me, and asked (I had Parnell by me), whether that was Dr Parnell, and treated him with great kindness.”

The loss of his wife in London, and the depression consequent upon it, led Parnell into a fatal habit of intemperance, which would in any case have interfered with his advancement in the Church; but the death of Queen Anne, and the consequent dismemberment of the Tory party, put an end to his expectations from government patronage, and he set out for Ireland, but died in 1717, at Chester, on his way home.

A selection of his poems was made by Pope, who published and dedicated them to the earl of Oxford. Several of them are distinguished for their praise by his countryman, Goldsmith; and we may express our concurrence with Dr Johnson, in saying, that “Goldsmith's criticism is seldom safe to contradict.” Goldsmith bestows praise which Johnson terms “just,” upon the “Rise of Woman,” the “Fairy Tale,” the “Vigil of Venus.” Other compositions, honoured with a more qualified praise, may be enumerated:—The “Battle of the Frogs and Mice,” a translation from Homer; the “Bookworm,” paraphrased from Beza; “The Night Piece on Death,” much admired by Goldsmith; an “Allegory on Man,” mentioned by Johnson as the “happiest of his performances;” and, “The Hermit,” best known to the modern reader.

Of Parnell's style, the most prominent merit seems to be felicity of diction. His verse dances on in a flow of the simplest and most appropriate words, aptly placed for both harmony and sense. The effect is pre-eminently that of a musical terseness, to which we cannot recollect any parallel. Johnson says, “in his verses there is more happiness than pains; he is sprightly without effort, and always delights, though he never ravishes,—everything is proper, though everything seems casual. If there is some appearance of elaboration in the ‘Hermit;’ the narrative, as it is less airy is less pleasing. Of his other compositions, it is impossible to say whether they are the productions of nature, so excellent as not to want the help of art, or of art so refined as to resemble nature.”

## DR THOMAS SHERIDAN.

BORN A.D. 1684.—DIED A.D. 1738.

THE birth-place of Sheridan is not accurately known, but it is stated by some authors to have been in the county of Cavan, where his parents, who were in rather depressed circumstances, subsequently resided. He was born in 1684, and spent the early years of his life under the roof of his parents, who were unable to give him more than the common advantages of a school education. A friend of his family, however, perceiving indications of a more than common intelligence, under what he himself describes as not a very prepossessing exterior, sent him to the University of Dublin, and contributed liberally to his support while he remained there. He afterwards entered into holy orders, and established a school in Dublin, which obtained much celebrity, not only from Dr Sheridan's high literary attainments, and his attention to the morals of his pupils, but from the many distinguished characters that were educated there. He early formed a close intimacy and friendship with Swift, which commenced in the following characteristic manner:—Swift, who had heard much of Sheridan, as a man of wit and humour, desired a common friend to bring them together. They passed the day much to their mutual satisfaction; and, when the company broke up at night, Swift, in his usual ironical way said, "I invite all here present to dine with me next Thursday, except Mr Sheridan," but with a look which expressed that the invitation was made wholly on his account. They felt a mutual attraction towards each other, and had in many respects a similarity of taste and talent; and the points in which they differed made each of them still more necessary to the other. The sagacity, energy, and strong worldly sense of the dean, were invaluable adjuncts to the weaker, more amiable, and unadulterated character of his friend, and were the means of often extricating him from difficult and embarrassing positions into which his own inadvertence and uncalculating simplicity betrayed him. The dean's acquaintance being chiefly amongst those high in rank and station, he naturally wished to form around him a circle in which he could be more completely at his ease, and yet one in which his various powers would be equally valued and appreciated. To such a circle did Sheridan introduce him. His son (Swift's biographer), in writing of the period, says, that being "the first schoolmaster in the kingdom, an intimacy with those fellows of the college, whose acquaintance he chose to cultivate, followed of course, and there happened at that time to be a greater number of learned and ingenious men in that body than ever had been known before at any given period. An acquaintance naturally commenced with such families of distinction as intrusted their children to his care. Besides, as he was looked upon as one of the most agreeable companions in the world, his society was much courted by all persons of taste." With a select set of these did Swift pass most of his festive hours for many years; but in the round of entertainments, care was always taken to engage Sheridan before a

party was fixed, as the dean was never known to be in perfect good humour but when he was one of the company.

As many of the evening parties were made up of this chosen set in the college, where subjects of literature were often the topics of conversation, Swift, who could not bear to be considered in an inferior light by any society into which he had entered, found it necessary to revive his knowledge of Greek and Latin, which, in the hurry of politics, and bustle of the world, he had so long neglected. With this view he invited Dr Sheridan to pass his vacations with him at the deanery, where an apartment was fitted up for him, which ever after went by his name; and, assisted by him, he went through a complete course of the Greek and Roman classics. This gave him a full opportunity of seeing the profound knowledge which Sheridan had of those languages; and he ever after pronounced him to be the best scholar in Europe. Thus living together frequently in the same house, in a communion of the same studies and the same amusements, a closer connection and more intimate union followed than Swift had ever known with any person except Stella. As Sheridan was the most open undisguised man in the world, it did not require much time or penetration to see into his whole character, in which Swift found many things to admire, many things to love, and little to offend. He had the strictest regard for truth, and the highest sense of honour; incapable of dissimulation in the smallest degree; generous to a fault; and charitable in the extreme. Of a proud independent spirit, which would not suffer him to crouch to the great ones of the world for any favour, nor to put on even the appearance of flattery, he had a heart formed for friendship, in which Swift had the first place. He possessed also a lively fancy, a ready invention, and a great fund of humour. He and Swift entered into an engagement that, for an entire year they should write to each other in verse every day, pledging themselves that the time of composition should not exceed five minutes. In the vast variety of *jeux d'esprit*, riddles, &c., to which this gave rise, it may be imagined that they were not all of equal merit; but there are few of those that remain that do not evince some ingenuity, fancy, or humour. The well-known inventory he drew up of Swift's possessions of Laracor, beginning, "An oaken broken elbow chair," &c., is a good specimen of this playful style of composition, which cheered many a gloomy hour of Swift's later life. Subject as he was to violent fits of passion on small occasions, Sheridan frequently turned them aside by dexterously giving a playful direction to the subject, and compelling him to laugh, so that common friends used to say, he was the David, who alone could play the evil spirit out of the Saul. When Swift was disengaged, he was in the habit of constantly calling about the hour of dinner at Dr Sheridan's, and establishing himself in a small parlour where the two friends dined, *tête-à-tête*, supplied with slices of meat sent to them from the common table. One of Sheridan's infirmities was a total disregard for money, and his reckless expenditure of it often involved him in painful and perplexing difficulties. Swift, finding all advice and argument upon the subject fail, sought to diminish the evil by energetic efforts to increase his income. The school of Armagh, which was richly endowed with lands



besides producing a large annual income, becoming vacant, he applied to the primate (to whose promotion he had formerly contributed), to grant him the nomination, which being acceded to, he at once offered it to Sheridan, who, with the infatuated pertinacity which marred all his prospects, refused to accept of it, being unable to relinquish the enjoyments of the society with which he was surrounded. The superior strength of Swift's character was strongly evidenced in this transaction, as he, dependent as he was upon the cheering influence of Sheridan's society, would have been a far greater sufferer by his removal than Dr Sheridan, with his numerous ties and engagements, could possibly have been.

On the appointment of Lord Carteret to the government of Ireland, Swift, who was already intimate with him, wrote as follows:—"I have only one humble request to make to your Excellency, which I had in my heart ever since you were nominated Lord-lieutenant; and it is in favour of Mr Sheridan. I beg you will take your time for bestowing on him some church living, to the value of £150 per annum. He is agreed on all hands to have done more public service by many degrees, in the education of lads, than any five of his vocation; and has much more learning than usually falls to the share of those who profess teaching, being perfectly skilled in the Greek as well as Latin tongue, and acquainted with all the ancient writers in poetry, philosophy, and history. He is a man of good sense, modesty, and virtue. His greatest fault is a wife and four children; for which there is no excuse, but that a wife is thought necessary to a schoolmaster. His constitution is so weak that in a few years he must give up his business; and probably must starve, without some preferment, for which he is an ill solicitor. My lord bishop of Elphin has promised to recommend this request to your Excellency; and I hope you will please to believe that it proceeds wholly from justice and humanity; for he is neither a dependent nor relation of mine."

Lord Carteret at once nominated him as one of his chaplains, and being himself an excellent scholar, soon distinguished his merit in that line. He equally appreciated his conversational and social powers, often inviting him to his private parties, and sometimes, "laying his state aside, he would steal out from the castle in an hackney chair, and pass the evening at Sheridan's with Swift, and the select set which used to meet there."

The Lord-lieutenant quickly bestowed upon him one of the first livings which fell into the gift of government;—it was in the south of Ireland, and worth about £150 a-year, and would probably have been but the first step to a rapid advancement in his profession, had it not been for a strange act of inadvertency, which with him seemed almost constitutional. Being in Cork, where he went for the purpose of being inducted into his living, he was requested by Archdeacon Russel to preach for him on the following Sunday, which happened to be the 1st of August, the anniversary of king George's birth-day, and he unfortunately and unconsciously selected for his text, "Sufficient unto the day is the evil thereof." The oversight was slight, but the current of faction ran high, and the long-eared zeal of party could not fail to catch at so apparently significant a coincidence. As Swift said "he

shot his fortune dead by chance-medley with this single text." The report was immediately carried to the Lord-lieutenant, who, though he clearly perceived its absurdity and malice, was not in circumstances to give offence to the dominant faction, or to create suspicion by passing over the supposed offence: Swift also exerted his mediation to the utmost, but to no purpose. The unfortunate preacher was struck out of the list of chaplains to the Lord-lieutenant, and he was forbidden to appear at the castle. Swift, writing to condole with him upon the subject, says, "If you are, indeed, a discarded courtier, you have reason to complain, but none at all to wonder; you are too young for many experiences to fall in your way, yet you have read enough to make you know the nature of man. . . . Too much adversity is not your talent, or else you had fled from that text as from a rock. For, as Don Quixote said to Sancho, 'what business had you to speak of a halter in a family where one of it was hanged?' And your innocence is a protection, that wise men are ashamed to rely on further than with God. It is, indeed, against common sense to think that you should choose such a time, when you had received a favour from the Lord-lieutenant, and had reason to expect more, to discover your disloyalty in the pulpit. But what will that avail? Therefore sit down and be quiet, and mind your business as you should do, and contract your friendships, and expect no more from man than such an animal is capable of, and you will every day find my description of Yahoos more resembling. You should think and deal with every man as a villain, without calling him so, or flying from him, or valuing him less." Though not agreeing with the maxim of either Rochefoucault or Swift, we give it as characteristic of the writer; and the remaining portion of the letter is worth transcribing, as it contains a good picture of the uncalculating and simple-minded man to whom it is addressed:—"You believe every one will acquit you of any regard to temporal interest; and how came you to claim an exception from all mankind? I believe you value your temporal interest as much as anybody, but you have not the art of pursuing it. You are mistaken. Domestic evils are no more within a man than others; and he who cannot bear up against the first, will sink under the second, and in my conscience I believe this is your case; for, being of a weak constitution, in an employment precarious and tiresome, laden with children, a man of intent and abstract thinking, enslaved by mathematics and complaint of the world, this new weight of party malice hath struck you down like a feather on a horse's back, already laden as far as he is able to bear. You ought to change the apostle's expression and say, I will strive to learn 'in whatsoever state I am, therewith to be content.' I will hear none of your visions." He then, with his characteristic point, lays down a set of regulations for his future conduct, for the care of his health, the limitation of his expenses, &c., and adds, "You think the world has now nothing to do but to pull Mr Sheridan down, whereas it is nothing but a slap in your turn, and away. Lord Oxford once said to me on an occasion, 'these fools, because they hear a noise about their ears of their own making, think the world is full of it.' When I come to town we will change all this scene, and act like men of the world. Grow rich, and

you will have no enemies; go sometimes to the castle; keep fast Tickle and Balaguer (the private secretary); frequent those on the right side, friends to the present powers; drop those who are loud on the wrong party, because they know they can suffer nothing by it." In a subsequent letter he says, "Have you seen my lord? Who forbade you to preach? Are you no longer chaplain? Do you never go to the castle?" and adds, "I should fancy that the bishop of Limerick could easily satisfy his Excellency, and that my Lord-lieutenant believes no more of your guilt than I, and therefore it can be nothing but to satisfy the noise of party at this juncture that he acts as he does." He then warns him not to act like the man "who hanged himself, because, going into a gaming-house and winning £10,000, he lost five of it, and came away with only half his winnings."

Sheridan subsequently exchanged this southern living for that of Dunboyne, in the neighbourhood of Dublin; but by the tricks and deceptions practised upon the subject of tithes, both by gentry and farmers, on his unsuspicious nature, it became very unproductive, and scarcely yielded more than £80 per annum. He kept up a constant correspondence with Swift, full of wit and drollery on both sides, and during the period of the severe illness which closed Stella's life, he was her constant attendant and friend, and the medium of communication between her and Swift during his absence in England, when she was unable to write. He was also a witness of the last melancholy scene between Swift and Stella; of her "unspeakable agonies;" and was in the chamber when she breathed her last. His son says of him (in his *Life of Swift*), "His grief for her loss was not perhaps inferior to the dean's. He admired her above all human beings, and loved her with a devotion as pure as that which we would pay to angels. She had early singled him out from all the dean's acquaintance as her confidential friend. There grew up the closest amity between them, which subsisted without interruption to the time of her death. During her long illness, he never passed an hour from her which could be shared from business; and his conversation in the dean's absence was the chief cordial of her drooping spirits. Of her great regard for him Swift bears testimony in the close of one of his letters to him from London, where he says, 'I fear while you are reading this you will be shedding tears at her funeral: she loved you well, and a great share of the little merit I have with you is owing to her solicitation.' No wonder, therefore (adds his son), if the doctor's humanity was shocked at the last scene which he saw pass between her and the dean, and which affected him so much, that it was a long time before he could be thoroughly reconciled to him."

Sheridan, as unstable in the conduct of his affair as he was steady in his affections, changed the living of Dunboyne for the free school of Cavan, his native county, where, from its extreme cheapness, he might have lived well on his salary of £80 a-year with the profits derived from his scholars; but the air, he complained, was moist and unwholesome, and having taken a strong antipathy to some of the persons resident in the neighbourhood, he sold his school for about £400, and having soon spent the money, he fell into bad health, and died in 1738, in the 55th year of his age.

The closing scene of his life is marked by a melancholy occurrence,



which, with a sudden wrench, snapped the friendship that had existed through so many years of painful vicissitude between him and the dean. We shall give the detail nearly in the words of his son :—Swift had long been weary of the world, and all that was in it. He had no prospect of relief but from death, for which he most ardently wished, even when his state was not so bad. For some years before, he never took leave of a friend in an evening without adding, "Well, God bless you; I hope I shall never see you again." In this hopeless state, deprived of all the comforts of life, it is little wonder if he was dead also to the feelings of friendship. Dr Sheridan had been for some time confined by illness at the deanery. When he had sufficiently recovered to go out, he was apologising to the dean for the trouble he had given him, saying, "I fear, Mr Dean, I have been an expensive lodger to you this bout." Upon which Mrs Whiteway, a relation of the dean's who then chiefly managed his affairs, and who happened to be present, briskly said, "It is in your power, doctor, easily to remedy this by removing to another lodging." Swift was silent. The poor doctor was quite thunderstruck. As this lady had always professed great friendship for him, and lay under considerable obligations to him, he quickly inferred that this must have been done by Swift's direction, in which he was confirmed by his silence on the occasion. He immediately left the house in all that anguish of mind which a heart possessed of the warmest friendship must feel upon the abrupt breach of one of so long a standing, and so sincere on his part; nor did he ever enter it again.

He lived but a short time after this. His complaint was a polypus in the heart, which terminated, as was expected, very suddenly. His last words were on some observations being made respecting the wind, "Let it blow east, west, north, or south, the immortal soul will take its flight to the destined point."

He married Miss Macfadin, and was father to Thomas Sheridan, the biographer of Swift, whose gifted wife (Miss Chamberlaine), was the authoress of *Sydney Biddulph*, *Nourjahad*, &c. Dr Sheridan himself published a prose translation of Persius, with notes, both by himself and former editors. Lord Cork, in writing of him, says, "He was deeply versed in the Greek and Latin languages, and in their customs and antiquities. He had that kind of good nature which absence of mind, indolence of body, and carelessness of fortune produce; and although not over-strict in his own conduct, yet he took care of the morality of his scholars, whom he sent to the university, remarkably well grounded in all kinds of classical learning, and not ill-instructed in the social duties of life. He was slovenly, indigent, and cheerful. He knew books much better than men; and he knew the value of money least of all.

"This ill-starred, good-natured, improvident man, returned to Dublin unhinged from all favour at court, and even banished from the castle; but still he remained a punster, a quibbler, a fiddler, and a wit. Not a day passed without a rebus, an anagram, or a madrigal." He then quotes some playful lines written by Dr Sheridan, complaining how little good had resulted from all this "strenuous idleness." Two

of them (conveying the answer of Apollo), suggest some idea of his personal appearance :

—————"Honest friend, I've considered your case,  
Nor dislike your unmeaning and innocent face."

Unsuited both by habits and disposition for his holy profession, he was yet, in many respects, high-minded, amiable, and disinterested, and his defects belonged rather "to his darkened age" than to himself.

GEORGE BERKELEY, D.D., BISHOP OF CLOYNE.

BORN A.D. 1684—DIED A.D. 1753.

GEORGE BERKELEY was the son of William Berkeley, and was, March 12, 1684, born at Desert Castle, near Thomastown, in the county of Kilkenny—the county of Flood, Langrishe, Bushe, and other names not to be forgotten in the roll of honour. He was the eldest of seven children, of whom one only was a daughter.

We are not enabled to give any detail of the history of his ancestors. It is mentioned in the memorial written by Dr Stock, and appended to the collection of his writings, that his grandfather came over to Ireland after the Restoration, his family having been great sufferers from their loyalty in the civil wars; and that he "obtained the collectorship of Belfast." His ancestor is elsewhere mentioned as a younger branch of the Earls of Berkeley.

Berkeley received the first part of his education at Kilkenny school, from which so many scholars of the first eminence have come. Swift had left it for Trinity College in 1682; Berkeley followed in 1699. Of the peculiar indications of his schoolboy years no notice has been preserved. He entered as a pensioner in the University of Dublin in his fifteenth year, under the tuition of Dr Hall; and in 1707, when about twenty-three, he obtained a fellowship. The same year he published an essay on mathematical science, which had been written before he was twenty, and was probably the fruit of his studies for the fellowship. This was an attempt to demonstrate arithmetic without algebra or Euclid. As we intend to conclude this memoir with a distinct notice of his writings, we shall only here observe the evidence which such an attempt contains of a moral feature in his character, which, we are fully convinced, had a very considerable effect in determining the nature of all his writings, and some parts, at least, of his conduct. This was a freedom from the influence thrown over the mind by the settled conventions of human opinion, and a consequent disposition to take novel and eccentric courses at the real or apparent dictate of reason or duty; a temper of which one of the results was a very unusual simplicity and singleness of character; another, a boldness equally remarkable, though we think far less fortunate, in the highly adventurous career of his philosophy.

His *Theory of Vision* came out in 1709, and the *Principles of Human Knowledge*, which gave the ultimate stamp to his philosophical character, in the following year. In 1712 he was induced to enter upon the discussion of those questions of political theory which then

mainly interested the public. The reader is already aware of the connection of the questions upon the rights of kings, and the doctrine of passive obedience, with the history of the revolution which placed the family of Hanover on the British throne. Locke's celebrated treatise turned the attention of Berkeley to the controversy, in which he delivered three commonplaces in the college chapel; these he afterwards printed. And as he undertook to maintain the exploded doctrine, which was supposed to be connected with adherence to the banished family of the Stuart princes, he was afterwards represented as a Jacobite, by Lord Galway, when recommended to him for preferment by the Prince and Princess of Wales. Mr Molyneux, who had been Berkeley's pupil in college, and had introduced him to these royal personages, took care to remove the impression, by showing from the work that the principles of the writer were thoroughly loyal.

His system of materialism, as a matter of course, attracted a very high degree of attention among that class of persons who delight in the barren perplexities of metaphysics. The controversial opposition which it excited was more shown in the general opposition of eminent men, such as Whiston, Clarke, and others, than by any express attempts at refutation. Of this, the following extract from Whiston's memoir of Clarke may give a notion sufficient for our present purpose:—"And perhaps it will not be here improper, by way of caution, to take notice of the pernicious consequence such metaphysical subtilities have sometimes had, even against common sense and common experience, as in the cases of those three famous men, Leibnitz, Locke, and Berkeley—(the first, in his pre-established Harmony; the second, in the dispute with Limborch about human liberty); and as to the third named, Berkeley, he published A.D. 1710, in Dublin, the metaphysical notion that *matter* was not a *real thing*; nay, that the common opinion of its *reality* was groundless, if not ridiculous. He was pleased to send Dr Clarke and myself, each of us, a book. After we had both perused it, I went to Dr Clarke, and discoursed with him about it to this effect,—that I, being not a metaphysician, was not able to answer Berkeley's subtile *premises*, though I did not at all believe his absurd *conclusion*. I therefore desired that he, who was deep in such subtilities, but did not appear to believe Berkeley's conclusion, would answer him; which task he declined. I speak not these things with intention to reproach either Locke or Berkeley. I own the latter's great abilities in other parts of learning; and to his noble design of settling a college in, or near the West Indies, for the instruction of natives in civil arts and in the principles of Christianity, I heartily wish all possible success. It is the pretended metaphysic science itself, derived from the sceptical disputes of the Greek philosophers, not those particular great men who have been, unhappily, imposed on by it, that I complain of. Accordingly, when the famous Milton had a mind to represent the vain reasonings of wicked spirits in Hades, he described it by their endless train of metaphysics, thus:—

"Others apart sat on a hill retired," &c.—*Par. Lost*, ii. 557–561.

"Many years after this, at Addison's instance, there was a meeting



of Clarke and Berkeley to discuss this speculative point; and great hopes were entertained from the conference. The parties, however, separated without being able to come to any agreement. Berkeley declared himself not well satisfied with the conduct of his antagonist on the occasion, who, though he could not answer, had not candour enough to own himself convinced. But the complaints of disputants against each other, especially on subjects of this abstruse nature, should be heard with suspicion."

In 1713 he went over to London, and there published a defence of his philosophical theory, in *Three Dialogues between Hylas and Philonous*. The ingenuity and the singular acuteness of intellect displayed in these writings attracted the admiration of scholars and literary men; and his acquaintance was sought and cultivated by the most distinguished persons of the time; Steele and Swift, especially the latter, were active in introducing him to those who might be serviceable to his advancement. Steele had just commenced *The Guardian*, and secured Berkeley's contributions on the easy terms of one guinea and a dinner each. At Steele's house he frequently met Pope, and formed an intimacy with him, which grew into a lasting friendship. He was introduced to the celebrated Earl of Peterborough by Swift, whose influence with this nobleman was very great. At his instance the earl took Berkeley with him as chaplain and secretary when, towards the end of the same year, he was appointed ambassador to the king of Sicily and the other Italian states.

He was left for three months at Leghorn by the earl, while he went on by himself to Sicily, to discharge the functions of his embassy. During his absence, a really trifling incident gave Berkeley a fright, to which he was afterwards used to revert with pleasantry among his friends. At that period, it is stated by Dr Clarke, that the only place in Italy where the service of the Protestant church was tolerated was at Leghorn—a favour then recently obtained by queen Anne from the Grand Duke. It happened that Dr Kennet, chaplain to the English factory, asked Berkeley to preach for him one Sunday. Berkeley complied with the request. On the next day, as he was sitting alone in his chamber, he was surprised and startled by the apparition of a train of surpliced priests, who entered his apartment in ghostly array, and walked round, muttering some form of prayer or exorcism, without seeming to notice his presence in any way, and then walked out again. Berkeley's first apprehensions suggested some connection between this solemn visitation and his sermon of the previous day; it could be, he thought, nothing less than some demonstration from the Inquisition, which must have been informed that he had preached without license to a heretical congregation. When he recovered from his astonishment, he made cautious inquiries, and to his great relief learned that it was the solemn festival set apart for blessing the houses of all "good Catholics" from rats and vermin.

In 1714 he returned with Lord Peterborough to England. The fall of the Tory party appeared to terminate all immediate prospects of preferment; he was, therefore, not dissatisfied at the occurrence of a favourable opportunity to extend his travels. The Bishop of Clogher, Dr St George Ashe, proposed to him to accompany his son, who was heir to a large property, on a tour through Europe.

His stay at Paris is rendered memorable by an incident of some interest—his interview with the celebrated philosopher Malébranche, of which, we have to regret, that no detailed account remains. Malébranche was prominent among the great speculative inquirers of his age, and held opinions very nearly approaching those of Berkeley's theory. His opinion, that all our volitions and perceptions are produced by the immediate operation of the divine will working on the frame, appears by a brief and very obvious train to lead to the inferences of the non-existence of external things. From this not very sane result, the French philosopher was deterred by an argument which should have had a similar influence on Berkeley, whose theory was invented with a direct view to oppose a scepticism fashionable in his day. Malébranche justly considered the existence of the external world to be affirmed in the beginning of Genesis, and therefore concluded that the inferences of speculation could not be carried so far as to deny it: although it is clear he removed all evidence for it but that supplied by Scripture. When Berkeley paid him a visit, he was labouring under inflammation of the lungs; and, at the moment, engaged in the preparation of some medicine, which he was watching as it heated in a small pipkin on the fire. It was an unfortunate situation for the encounter of two philosophers who had such a point of difference to contend for. Malébranche had become acquainted with Berkeley's theory of non-existence of the external world; and immediately entered, with all the interest of a philosopher, and all the impetuosity of a Frenchman, into a discussion upon it. Berkeley was soon heated with controversial ardour; and they who best know the zeal of metaphysical disputation, will not hesitate to admit the probability, that the trifling considerations of form and circumstance must soon have been forgotten by both in the keen debate. The actual incidents are no further known than by the event. The French philosopher spoke so much and so loud, that it brought on a violent increase of his disorder, which carried him off in a few days.\*

Upwards of four years were, at this period, spent in travelling among other places, less upon the common track of tourists: he travelled over Apulia, Calabria, and Sicily. He had collected materials for a natural

\* De Quincey, in his paper "On Murder considered as one of the Fine Arts," gives the following amusing version of this celebrated controversy:—

"Malébranche, it will give you pleasure to hear, was murdered. The man who murdered him is well-known: it was Bishop Berkeley. The story is familiar, though hitherto not put in a proper light. Berkeley, when a young man, went to Paris, and called on Père Malébranche. He found him in his cell cooking. Cooks have ever been a *genus irritabile*; authors still more so; Malébranche was both: a dispute arose; the old father, warm already, became warmer; culinary and metaphysical irritation united to derange his liver: he took to his bed, and died. Such is the common version of the story: 'So the whole ear of Denmark is' abused.' The fact is, that the matter was hushed up in consideration of Berkeley, who (as Pope remarked) had 'every virtue under heaven:' else it was well-known that Berkeley, feeling himself nettled by the waspishness of the old Frenchman, squared at him; a *turn-up* was the consequence; Malébranche was floored in the first round; the conceit was wholly taken out of him; and he would perhaps have given in; but Berkeley's blood was now up, and he insisted on the old Frenchman's retracting his doctrine of Occasional Causes. The vanity of the man was too great for this, and he fell a sacrifice to the impetuosity of Irish youth, combined with his own absurd obstinacy.

history of Sicily; but they were unfortunately lost in the passage to Naples. Some very curious and interesting sketches of his visit to Ischia, in the bay of Naples, and a description of an eruption of Vesuvius, which he witnessed, and was enabled to observe very accurately, have caused his biographer to regret this loss as an injury to the "literary world." And notwithstanding the bright reflection which Berkeley's fame, as a metaphysical writer, throws on his country, and still more on his university, we are rather inclined to regret that his genius had not earlier received a direction favourable to the exercise of talents with which he was pre-eminently endowed by nature. The world might have spared those writings which have in no way contributed to human wisdom, and are rather to be regarded as essays and examples of high intellectual power than as leading to results, with perhaps one slight exception, which it will be time enough to notice when we come to the separate consideration of his writings. There is a remarkable freshness, vigour, and graphic power about his descriptions of places, and an inquisitiveness of research which would, with the addition of his profound intelligence, have given to the world the most instructive and delightful history of the nature and social peculiarities of the countries and people whom he visited. From the habitual intercourse with realities his understanding would have acquired a practical turn, the want of which was his main defect, and with his universally accomplished, exploring, and enthusiastic mind, he would have been the Humboldt of his age. There is a singular combination of poetic effect and of accurate observation in his description of the island of Inarime, and still more of its ancient mountain, Mons Epomeus, rising from its centre, and overlooking the scenery of the Æneid, "from the promontory of Antium to the cape of Palinurus." Though we are amused with the enthusiastic simplicity which, after describing the Arcadian innocence and simplicity of the inhabitants, who, as they "are without riches and honours, so they are without the vices and follies that attend them;" in the very next sentence he informs us that "they have got, as an alloy in their happiness, an ill-habit of murdering one another on slight offences." One is apt to suspect that the philosopher had in his mind the *Arcades ambo* of Horace, rather than the "poetical notions of the golden age;" but Berkeley's mind is too earnest and high-wrought for the frivolity of a joke. He immediately after tells his correspondent that "by the sole secret of minding our own business, we found a means of living safely among this dangerous people," a lesson which he might have easily learned at home. Still more full of interest must have been his descriptions of Mount Vesuvius. In his letter to Arbuthnot, in which he describes three ascents, he says of the first, "With much difficulty I reached the top of Mount Vesuvius, in which I saw a vast aperture full of smoke, which hindered the seeing its depth and figure. I heard within that horrid gulf certain odd sounds, which seemed to proceed from the belly of the mountain; a sort of murmuring, sighing, throbbing, churning, dashing, as it were, of waves, and between whiles a noise like that of thunder or cannon, which was constantly attended with a clattering like that of tiles falling from the tops of houses on the streets," &c. On this ascent he obtained but imperfect and occasional glimpses of the awful



doings below in that vast and hollow gulf. A momentary dispersion of the smoke displayed two furnaces, almost contiguous, throwing up a "very ruddy flame" and vast discharges of red-hot stones. On the 8th of May he ascended a second time, and saw a different aspect of things. The air was calm, and a column of smoke ascended straight up, so as to leave clearly visible the boiling and bellowing chasm beneath, in which the two furnaces burned more fiercely than on the former day, "throwing up every three or four minutes, with a dreadful bellowing, a vast number of red-hot stones, sometimes in appearance about a thousand, and at least three thousand feet higher than my head, as I stood upon the brink." The other furnace was equally remarkable in a different way, being "filled with red-hot liquid matter, like that in the furnace of a glasshouse, which raged and wrought as the waves of a sea, causing a short abrupt noise, like what may be imagined to proceed from a sea of quicksilver dashing among uneven rocks." Between this ascent and the 20th of June, he continued to make excursions in the vicinity, during which he continued to observe with interest the varying appearances of the mountain, sometimes pouring from its summit bright and glittering streams of liquid lava, of which the burning course was traceable by the "ruddy smoke" which overhung it "along a huge track of sky." On other nights, a tall column of flame shot up the heavens from the smoky height, and disappeared in sudden darkness after a moment, as if "the jaws of darkness had devoured it." But on the 10th the scene appears to have put on all its terrors to attract the imaginative philosopher. He describes its distant sound to his friend:—"You cannot form a juster idea of this noise in the most violent fits of it, than by imagining a mixed sound made up of the raging of a tempest, the murmur of a troubled sea, and the roaring of thunder and artillery all together. It was very terrible as we heard it in the further end of Naples, at the distance of above twelve miles. This moved my curiosity to approach the mountain. Three or four of us got into a boat, and were set ashore at Torre del Greco, a town situate at the foot of Vesuvius, to the south-west, whence we rode four or five miles before we came to the burning river, which was about midnight. The roaring of the volcano grew exceedingly loud and horrible as we approached. I observed a mixture of colours in the cloud over the crater—green, yellow, red, and blue; there was, likewise, a ruddy dismal light in the air over that tract of land where the burning river flowed; ashes continually showered on us all the way from the sea-coast; all which circumstances, set-off and augmented by the horror and silence of the night, made a scene the most uncommon and astonishing I ever saw, which grew still more extraordinary as we came nearer the stream. Imagine a vast torrent of liquid fire rolling from the top down the side of the mountain, and with irresistible fury bearing down and consuming vines, olives, fig-trees, and houses, in a word, everything that stood in its way. This mighty flood divided into different channels, according to the inequalities of the mountain; the largest stream seemed half-a-mile broad at least, and five miles long. The nature and consistence of these burning torrents have been described with so much exactness and truth by Borellus, in his Latin treatise on Mount *Ætna*, that I need say nothing of it. I walked so

far before my companions up the mountain, along the side of the river of fire, that I was obliged to return in great haste, the sulphureous stream having surprised me and almost taken away my breath. During our return, which was about three o'clock in the morning, we constantly heard the murmur and groaning of the mountain, which between whiles would burst out into louder peals, throwing up huge spouts of fire and burning stones, which, falling down again, resembled the stars in our rockets. Sometimes I observed two, at others three distinct columns of flames, and sometimes one vast one that seemed to fill the whole crater. These burning columns and the fiery stones seemed to be shot one thousand feet perpendicular above the summit of the volcano." The eruption continued, with various changes of appearance until the 18th, during which he continued to watch it with unwearied interest, and to note every incident that occurred. As may be anticipated, he formed a theory to account for volcanoes. He supposed a vacuum to be made in the "bowels of the earth, by a vast body of inflammable matter taking fire, the water rushed in and was converted into steam; which simple cause was sufficient to produce all the wonderful effects of volcanoes—as appears from Savery's fire-engine for raising water, and from the *Æolipile*."\* We believe the great question, thus hastily solved, remains yet to exercise the research and skill of geologists, Whether the irruption proceeds directly from the great reservoir of molten elements far down towards the mass of central heat, or the infusion of water upon some local accumulation of similar materials, is not, and perhaps cannot be, ascertained with the certainty of science. Nor can we here dwell upon a question so far beyond our knowledge.

On his return to England, Berkeley composed at Lyons an essay upon a question proposed by the Royal Academy of Paris. The subject was on the principle and cause of motion; the tract is in Latin in his works: he published it on his arrival in London in 1721. In this tract he arrives with much art at the same conclusion which he had already put forth in his great metaphysical theory.† As we propose to give the reader a full account of this, it will be unnecessary to anticipate it here.

From such speculations he was happily diverted from time to time, and at last altogether, by the active benevolence of his disposition. In 1720 the country sustained great suffering from the South Sea scheme. Berkeley wrote and published a tract, in which he endeavours to point out the sources of the national suffering and its remedies. His discourse displays all the character of a humane and elevated spirit, with much sound thinking on the general principles of social welfare. There is, at the same time, perceptible in it a tone of observation remote from the actual temper of human life, and a want of perception of the more detailed workings of society; he soars into a lofty region of primary truths and general principles, and seems to consider a great moral reform, and something like a system of sumptuary regulations, to be the great remedy for the existing evil.

\* Clarke's note.

† See from sect. 34 to the end, Works, 8vo, vol. ii. p. 385.

Shortly after his return, Berkeley was introduced by Pope to the accomplished Earl of Burlington, whose name is so familiar to the architectural student. Berkeley had himself cultivated this art, and during his travels had become extensively and accurately acquainted with the best existing specimens, ancient and modern. His knowledge of the subject, set off as it must have been by his discursive talent and his ingenuity and enthusiasm, attracted the admiration of the noble earl, who introduced him with strong encomiums to the Duke of Grafton, then about to come over to Ireland as Lord-lieutenant. The duke took him with him as chaplain in 1721, when he had been six years away from his native country. He had, in the meantime, become a senior fellow, and now took (Nov. 14th) his degree of doctor in divinity.

In the next year he obtained a large bequest from Miss Hester Vanhomrigh, amounting to about £4000. We have already had to state the particulars in our memoir of Swift. It is asserted on good authority, that he had only once met this unfortunate lady at dinner. But he must have been well known to her by reputation; and, besides, the high admiration which his singularly pure character was likely to make on one so alive to impressions, many influential causes were not unlikely to have intervened, though of so slight a nature as to leave no record.

In 1724 he was preferred by the Duke of Grafton to the deanery of Derry, on which he resigned his fellowship. The deanery was worth £1100 a year; but the heart of Berkeley was high above the lower influences of life. The same spirit which impressed him with a notion that the state of the nation might be bettered by lofty expositions of general truths, operated on him as a governing influence. While he had been on his travels, his imagination had been captivated by the splendour and beauty of foreign scenery, with which he naturally associated visions of human happiness. The notion of a purer and better form of society, founded on the basis of Christianity, was a natural fruit of such a mind, and it became his favourite project. For him the splendour and the luxury, the pomp and vanity, which are so much of life to common minds, were utterly devoid of charms; in these there was nothing to resign. A course of conduct, hard to the conception of ordinary mortals, was, with these dispositions, natural; his heart, in which no sordid feeling had place, was filled with the lofty and holy design of "converting the savage Americans to Christianity, by a college to be erected in the Summer Islands, otherwise called the isles of Bermuda." We shall offer no extracts from the proposal which he published on the occasion, because, as was to be expected from one of his earnest and sincere temper, the reasons which he would himself feel the weight of are all obvious enough. It is not until a man doubts the efficacy of the main reasons that he will think it necessary to look for new and deep arguments for the recommendation of good deeds. A poem, otherwise of no value, will offer some view of the impressions of his own mind.

"The muse, disgusted at an age and clime,  
Barren of every glorious theme;  
In distant lands now waits a better time  
Producing subjects worthy fame.



In happy climes, where from the genial sun  
And virgin earth such scenes ensue;  
The force of art, by nature seems outdone,  
And fancied beauties by the true.

In happy climes—the seat of innocence,  
Where nature guides and virtue rules;  
Where man shall not impose, for truth and sense,  
The pedantry of courts and schools.

There shall be sung another golden age,  
The rise of empire and of arts,  
The good and great inspiring epic rage,  
The wisest heads and noblest hearts.

Not such as Europe breeds in her decay,  
Such as she bred when fresh and young,  
When heavenly flame did animate her clay  
By future poets shall be sung.

Westward, the course of empire takes its way,  
The four first acts already past;  
A fifth shall close the drama with the day,  
Time's noblest offspring is the last."

To this testimony of Berkeley's muse, we shall here add dean Swift's very remarkable letter to Lord Carteret, 1724 :—

"There is a gentleman of this kingdom gone for England—it is Dr George Berkeley, Dean of Derry—the best preferment among us, being worth £1100 a year. He takes the Bath in his way to London, and will of course attend your excellency, and be presented, I suppose, by his friend Lord Burlington; and because I believe you will choose out some very idle minutes to read this letter, perhaps you may not be ill entertained with some account of the man and his errand. He was a fellow of the university here, and going to England very young, about thirteen years ago, he became the founder of a sect there called the *Immaterialists*, by the force of a very curious book upon the subject. Dr Smaleridge and many other eminent persons were his proselytes. I sent him secretary and chaplain to Sicily with my Lord Peterborough, and upon his lordship's return, Dr Berkeley spent about seven years in travelling over most parts of Europe, but chiefly through every corner of Italy, Sicily, and other islands. When he came back to England he found so many friends that he was effectually recommended to the Duke of Grafton, by whom he was lately made Dean of Derry. Your excellency will be frightened when I tell you this is but an introduction, for I am now to mention his errand. He is an absolute philosopher with regard to money, titles, and power; and for three years past has been struck with a notion of founding a university at Bermudas, by a charter from the crown. He has seduced several of the hopefulest young clergymen and others here, many of them well provided for, and all of them in the fairest way of preferment; but in England his conquests are greater, and I doubt will spread very far this winter. He showed me a little tract which he designs to publish, and there your excellency will see his whole scheme of a life academico-philosophical—I shall make you remember what you were—of a college founded for Indian scholars and missionaries, where he most exorbitantly proposes a whole £100 a year for himself, £40 for a fellow, and £10 for a

student. His heart will break if his deanery be not taken from him, and left to your excellency's disposal. I discouraged him by the coldness of courts and ministers, who will interpret all this as impossible and a vision; but nothing will do. And, therefore, I do humbly entreat your excellency either to use such persuasions as will keep one of the first men in this kingdom, for learning and virtue, quiet at home, or assist him by your credit to compass this romantic design, which, however, is very noble and generous, and directly proper for a great person of your excellent education to encourage."

To raise funds for his project, in which he was joined by three junior fellows of his college, Berkeley sent a proposal to the king, George I., stating the value of certain lands in the island of St Christopher's, which were then about to be sold by Government, and proposed that the proceeds of the sale might be applied to the foundation and building of his college. This was conveyed to the king by the Abbé Gualtiere, an eminent Venetian, with whom Berkeley had formed an intimacy during his travels. The king laid his commands on Walpole to introduce and conduct the proposal through the Commons, and granted a charter for its institution, by the name of St Paul's college. The fate of this proceeding may be partly followed out by extracts from those letters in which it was mentioned by Berkeley. The college was to consist of a president and nine fellows, at £100 and £40 per annum respectively, and to educate the Indians at the rate of £10 per scholar. The first president and fellows were to retain their preferments in England or Ireland for a year and a-half from the date of their arrival in Bermuda. The matter was accordingly moved in the House of Commons, and on the 11th May, 1726, a vote was carried, "That an humble address be presented to his majesty, that out of the lands in St Christopher's, yielded by France to Great Britain by the treaty of Utrecht, his majesty would be graciously pleased to make such grant for the use of the president and fellows of the college of St Paul's in Bermuda as his majesty shall think proper." The king answered favourably, and £20,000 was promised by Walpole in advance, on the security of the expected grant.

While matters were in this state Berkeley married Miss Anne Foster, eldest daughter to the speaker of the Irish House of Commons. This marriage occurred August 1st, 1728, and in the following month he sailed with his wife for Rhode Island. He was also accompanied by a Mr Smilert, an artist; two gentlemen of fortune, Messrs James and Dalton; and a young lady of the name of Hancock. He had also raised a considerable sum of money from means or property of his own, and brought out a considerable library. It was his design to purchase what lands he could, on the nearest part of the continent, for the endowment of the new university; and these were to be paid for from the grant, which he was assured should be forthcoming as soon as the lands were selected and the agreement completed for them. He took up his residence at Newport, in Rhode Island, where he continued two years, during which time he occupied himself in preaching for the clergyman there.

Of the dean's arrival in Newport, Rhode Island, we have an account in the "New England Journal," which publishes a letter from a person

from Newport:—"Yesterday, arrived here Dean Berkeley of Londonderry, in a pretty large ship. He is a gentleman of middle stature, of an agreeable, pleasant, and erect aspect. He was ushered into the town by a great number of gentlemen, to whom he behaved himself after a very complaisant manner. 'Tis said he proposes to tarry, with his family, about three months." In Peterson's "History of Rhode Island" we are told that the pilot brought to Newport a letter from Berkeley to the clergyman, Mr Honyman, and a statement that a great dignitary of the Church of England, called a dean, was on board the vessel, and that the letter was handed to Mr Honyman, who was in the pulpit. He read it to the audience; and as it appeared that the dean might land at any moment, the congregation was dismissed forthwith, and all, clergyman, vestrymen, wardens, male and female, hurried down to the wharf to receive the great man with their benediction and welcome.

From the correspondence of Berkeley with Prior, it first appears with what cost and exertion the charter had been obtained. By the time it had passed all the offices it had cost him £150 in fees, "besides expedition-money to men in office." He was, at the same time, encumbered with some obstacles and delays about Miss Vanhomrigh's bequest, which appears to have been managed for him by Prior, and after urging him to increased exertion, he adds—"I thank God I find in matters of a more difficult nature good effects of activity and resolution—I mean Bermuda, with which my hands are full, and which seems likely to thrive and flourish in spite of all opposition." On May 12, 1726, he alludes to the debate in the House of Commons, in which none spoke against his motion but two mercantile men; and among other incidents of the question, he mentions that the fear entertained by the mercantile interest was, lest America might become independent by the advance of civilisation.

Berkeley, in his single-minded enthusiasm, thought all difficulties over in a single stage of his proceedings, when no person could have said or done otherwise than to approve of a measure, the advantages of which could not be denied on any public ground, without first advancing reasons which would be both unpopular and untrue. But on the part of practical politicians (too generally, men of a very inferior range of knowledge and views), no large or decided plan for the promotion of human welfare, unconnected with some immediate interest, was likely to be sincerely entertained. To men like Walpole the Summer Island scheme was a chimera of speculation, and its author an amiable visionary; £20,000 was a serious outlay on a dream of Utopia, and to an experienced observer of the world, its frustration might have been predicted. To Berkeley's simplicity, the address of the house was a decisive incident; the opposition of the Council, which was silenced, and apparently set at rest by it, went for nothing. Everything seemed for a while to prosper; meetings and conferences were held to adjust the manner of the grant, and the legal difficulties were easily obviated. It was arranged to settle it by a rent-charge payable on all the lands, redeemable on the crown paying £20,000 for the use of the president and fellows of the college of St Paul, and their successors. As the time drew nigh, Berkeley expressed great anxiety to pass three months



in perfect seclusion in some lodging near Dublin, and the reasons are not explained; but it may possibly have been to avoid the press and interruptions of society, while he transacted the necessary preliminaries with his associates. His position was at least peculiar enough to make such interruptions peculiarly troublesome and jarring. The death of George I. for a moment threw a passing cloud over his sanguine impatience; the broad seal had not been annexed to the grant; a new warrant had to be made out, and several tedious delays had to be encountered. These delays were overcome, and in February he writes to Prior, "I need not repeat to you what I told you here, of the necessity there is for my raising all the money possible against my voyage, which, God willing, I shall begin in May, whatever you may hear suggested to the contrary." At last, in September, he writes, "To-morrow, with God's blessing, I set sail for Rhode Island, with my wife and a friend of hers, my Lady Hancock's daughter, who bears us company. I am married, since I saw you, to Miss Foster, daughter of the late chief-justice, whose humour and turn of mind pleases me beyond anything I knew in her whole sex." He then mentions that he shall want £300 before the income of his deanery was to become due. His next communication is a letter from Newport, in Rhode Island, in the April of the year 1729. He at some length describes the place, and mentions that the inhabitants consisted of a great variety of sects, each of which allowed the Church of England to be the "second best." He expressed strong anxiety about the punctuality of his remittances, but does not yet appear to entertain any misgivings about the good faith of the Government. His friends had gone to live at Boston, while he and his own immediate family, preferring domestic quiet to the bustle and noise of cities, lived on a small estate which he had purchased. "Among my delays and disappointments," he says, on March 1730, "I have two domestic comforts that are very agreeable—my wife and son—both which exceed my expectations, and answer all my wishes." On May 7, 1730, he writes, "I must tell you that I have no intention of continuing in these parts, but to settle the college his majesty hath been pleased to found in Bermuda, and I want only the payment of the king's grant to transport myself and family thither." He adds, that his friend Dr Clayton was at the time engaged by his desire to negotiate, and that he had written directions to him to go to the Treasury, with the letters patent in his hands, and there make the demand in form." He goes on, "I have wrote to others to use their interest at court; though, indeed, one would have thought all solicitation at an end, when once I had obtained a grant under his majesty's hand, and the broad seal of England. As to my going to London, and soliciting in person, I think it reasonable first to see what my friends can do; and the rather because I have small hopes that my solicitations will be regarded more than theirs. Be assured I long to know the upshot of this matter; and that, upon an explicit refusal, I am determined to return home, and that it is not at all in my thoughts to continue abroad and hold my deanery. It is well known to many persons in England that I might have had a dispensation for holding it in long absence during life, and that I was much pressed to it, but I resolutely declined it; and if our college had taken place as

soon as I once hoped it would, I should have resigned before this time." After some further remarks of the same general purport, he goes on to mention, "I have been at great expense in purchasing land and stock here, which might supply the defects of Bermuda in yielding those provisions to our college, the want of which was made a principal objection against its situation in that island." Among other things, it appears that letters took in general, at the least, half-a-year, and oftener twice that time, in reaching him from Ireland. Talking of himself and his wife, who had at the time sustained a miscarriage, he says, "Our little son is great joy to us; we are such fools as to think him the most perfect thing in its kind that we ever saw."

It is mentioned by Dr Clarke that the settlement of affairs respecting the will of Miss Vanhomrigh with his joint executor, Mr Marshal, and with a Mr Vanhomrigh, involved Berkeley at this time in great trouble. From the extracts which Dr Clarke has given from his letters to Prior on the subject, it appears that, while all sorts of delay were caused by the refractory temper of Mr Vanhomrigh, all the creditors of the testatrix were importunately pushing their claims. One of these extracts will serve our purpose here. "November 12, 1726.—I have sent to you so often for certain éclaircissements, which are absolutely necessary to settle matters with the creditors, who importune me to death, you have no notion of the misery I have undergone, and do daily undergo on that account. For God's sake, pray disentangle these matters, that I may once be at ease to mind my other affairs of the college, which are enough to employ ten persons." He mentions in the same letter, "I have spent here a matter of £600 more than you know of, for which I have not yet drawn over."

Berkeley in this interval had exerted himself with all the vigour of his mind and body to bring the projected plan to a completion. At last all the arrangements were effected, and nothing remained but to give effect to the agreements he had entered into, by the necessary payments. But in this lay an obstacle not to be surmounted by industry, talent, and enthusiasm. Walpole had from the first been unfavourably inclined to the project; and it was probably by the exertion of his influence that the money which had been allotted for the grant was turned to some other use. The lands sold in St Christopher's brought £90,000; of this £80,000 went to pay the portion of the princess royal; the rest was obtained by General Oglethorpe for his new colony in America. Bishop Gibson, on Berkeley's part, applied to Sir Robert Walpole, and at last received the following answer:—"If you put this question to me as a minister, I trust, and can assure you, that the money shall most undoubtedly be paid as soon as suits with public convenience; but if you ask me as a friend whether Dean Berkeley should continue in America, expecting the payment of £20,000, I advise him by all means to return home to Europe, and to give up his present expectations." This plain speaking had the effect of exposing to Berkeley the entire futility of the dependence on which he had thrown away so much good money and irretrievable time; and, after seven years of vain labour and expectation, he prepared for his return. He distributed his books among the clergy of Rhode Island, and was soon on his way to London. We learn from an American

writer that "To Yale College, Berkeley, presented 880 volumes; to Harvard Library valuable donations of Greek and Latin Classics, and his Whitehall estates, of 100 acres, to Yale and Harvard Colleges, for three scholarships in Latin and Greek. This endowment has become very valuable. The sojourner at the beautiful town of Newport, will find inscribed on the organ in the venerable "Trinity Church" the inscription, "The gift of Bishop Berkeley." His first act on his return was the repayment of the various subscriptions he had received for the advancement of his plan. It was in the interval immediately succeeding his return that he composed the most useful of his writings—the *Minute Philosopher*; in which he adopted the ancient method of the Socratic and Platonic dialogue, of which he gives the happiest example known in modern literature; and follows all the windings of scepticism through the different fields of fallacy, in which it has taken refuge at different times, according to the state of human opinion and knowledge; or, as Clarke writes, pursuing the "freethinker the various characters of atheist, libertine, enthusiast, scorner, critic, metaphysician, fatalist, and sceptic; and very happily employs against him several new weapons drawn from the storehouse of his own ingenious system of philosophy." We cannot, indeed, agree with Dr Clarke in attaching any value to arguments drawn from a system of philosophy so baseless as that of Berkeley; but on this we must reserve our comment.

We have already had occasion to give some account of the court of the Princess of Wales, and of her love for the society of the learned. Berkeley had the good fortune to hold a place in her esteem; and it is mentioned that Clarke and he were the principal persons in the discussions which frequently arose on those days which were devoted by her highness to these learned colloquies. Berkeley had indeed good need for all his ability to support his character for discretion and common sense, against some unfavourable impressions occasioned by his Bermuda scheme. In the discussions to which we have adverted, it is mentioned that Bishop Hoadly mostly took part with Clarke, while Sherlocke took Berkeley's side: when the "*Minute Philosopher*" was printed, he took it to the queen, and suggested that such a work could not be the production of one who possessed an unsound mind.

With the queen he soon became a favourite, and his preferment was a determined point. Neither was he long kept in suspense; though a disappointment was the first result, it was only the means of securing his further elevation. The deanery of Down fell vacant, and he was named to succeed to it; but the Duke of Dorset is said to have taken offence at such a step having been taken without his concurrence, and it was thought proper not to press the nomination. The queen, however, at once declared that if they would not suffer Dr Berkeley to be dean (this, however, he already was) in Ireland, he should be a bishop. She kept her promise. In 1736 Cloyne fell vacant, and he was, by letters patent, dated March 17th in that year, preferred to that see; and in the May following he was consecrated in Dublin, at St Paul's church, by the Archbishop of Cashell, with the bishops of Raphoe and Killaloe.

This account, which is that of the biographer from whom almost all our materials are drawn, is yet in some slight particulars at variance



with the account contained in the bishop's letters written upon the same occasion, though it is to be admitted that the difference may be only apparent, and consequent upon the different aspect in which the facts appeared at different times. By the bishop's account the recommendation came from the Duke of Dorset, who was probably, nevertheless, but a consenting party to the wishes of the queen. The following is an extract from the letter written by Berkeley upon the occasion:—"January 22, 1734.—On the 5th instant the duke sent over his plan, wherein I was recommended to the bishoprick of Cloyne: on the 14th I received a letter from the secretary's office, signifying his majesty having immediately complied therewith, and containing the Duke of Newcastle's very obliging compliment thereupon. In all this I was nothing surprised, his grace the lieutenant having declared, on this side the water, that he intended to serve me the first opportunity; though, at the same time, he desired me to say nothing of it. As to the A. B. D. (Archbishop of Dublin, Dr Hoadly), I readily believe he gave no opposition. He knew it would be to no purpose, and the queen herself had expressly enjoined him not to oppose me," &c. After which he says, "Notwithstanding all of which I had a strong penchant to be dean of Dromore, and not to take the charge of a bishoprick upon me. Those who formerly opposed my being dean of Down have thereby made me a bishop; which rank, however desirable it may seem, I had before absolutely determined to keep out of."

Cloyne was let for £1200 per annum at the time, and had a demesne of 800 acres to the see house. With this accession of wealth and dignity came, as if by virtue of a title, the gout, which paid its first visit in the beginning of February, about ten days after his appointment, and the bishop received the ordinary congratulations on both incidents together. "With my feet lapped up in flannels, and raised on a cushion, I received the visits of my friends, who congratulated me on this occasion as much as on my preferment."

The charges of his see were so considerable as much to diminish the immediate benefit of his promotion; and, upon the whole, he calculated that, after satisfying demands of every kind, his income would be less than £1000 per annum.

We may pass the slight circumstances attendant on his removal to Cloyne. He received many recommendations from friends or persons in power, of those upon whom they wished that his patronage should be bestowed. To these he resolved to pay no attention, but to confine his services of that description to "ingenuity, learning, and good qualities."

His time, and that of his household, appears to have been divided and disposed to produce the greatest amount both of profit and pleasant recreation. He rose at a very early hour, and summoned his family to a lesson on the bass viol, from an Italian, whom he retained for the purpose. The still more suitable devotion of the morning, in the house of a Christian prelate, cannot have been neglected, though not considered unusual enough to be recorded by his biographer. From that his day was spent in study. Of his ordinary avocations at Cloyne, a few incidental notices occur from time to time in his correspondence, which is, however, mostly engrossed with matters which were then

of more importance, though now of far less. We easily ascertain that he gave time, thought, and money for the health and comfort of the poor in his diocese, and took a leading part in every plan of usefulness. There were vast numbers of the peasantry carried off by a fatal epidemic in 1741, and the bishop was active in his endeavours to mitigate the evil. He was no less attentive to the public interests in every question that attracted attention by its weight; and the fruits are yet to be found in several compositions extant among his works.

He had no desire to advance his circumstances by change. In 1745 the Earl of Chesterfield offered him the see of Clogher, which was double the value of that of Cloyne, and fines to the amount of £1,0000 were then due; but the bishop declined the offer, remarking to Mrs Berkeley, "I desire to add one more to the list of churchmen who are evidently dead to ambition and avarice." In 1747, when the primacy became vacant, and several of the bishops were earnestly advancing their claims, he was strongly urged to make application for himself; but this he resolutely refused. We extract a few lines from one of his letters:—"I am no man's rival or competitor in this matter. I am not in love with feasts, and crowds, and visits, and late hours, and strange faces, and a hurry of affairs often insignificant. For my own private satisfaction, I had rather be master of my time than wear a diadem." Another letter to the same correspondent says:—"As to what you say, that the primacy would have been a glorious thing—for my part, I do not see, all things considered, the glory of wearing the name of a primate in these days, or of getting so much money—a thing every tradesman in London may get, if he pleases—I should not choose to be primate, in pity to my children." About the same time an article was inserted in the public papers, which, being also found among the bishop's papers, and seeming to relate incidents of his history, has been attributed to him. It was written upon the recent shocks of an earthquake, felt in London, and is remarkable for the narration of several curious particulars, communicated to the writer in Catania, by Count Fezzani, who was a witness and sufferer in the frightful earthquake that destroyed that place, and more than three-fourths of its population, in 1692. Of these one may be here mentioned:—"The count was dug out of the ruins of his own house, which had overwhelmed about twenty persons—only seven whereof got out alive. Though he rebuilt his house with all its former accommodations, yet he ever after lay in a small adjoining apartment, made of reeds plastered over. Catania was rebuilt more regular and beautiful than ever: the houses, indeed, are lower, and the streets broader than before, for security against future shocks. By their account, the first shock seldom or never doth the mischief; but the *replichè*, as they term them. are to be dreaded."

In July 1746, we ascertain that Berkeley's picture was painted by his wife, and sent as a present to Prior. The bishop thus mentions it: "It is an offering of the first-fruits of her painting. She began to draw in last November, and did not stick to it closely, but by way of amusement, only at leisure hours. For my part, I think she shows a most uncommon genius; but others may be supposed to judge more impartially than I. My two younger children are beginning to employ

themselves in the same way. In short, here are two or three families in Imokilly bent on painting; and I wish it was more general among the ladies and idle people, as a thing that may divert the spleen, improve the manufactures, and increase the wealth of the nation. We will endeavour to profit by our lord-lieutenant's advice, and kindle up new arts with a spark of his public spirit." The picture here mentioned, after Mr Prior's death, in 1751, went into the possession of the Rev. Mr Archdal, of Dublin, and is now, we believe, the same that hangs in the hall of the University of Dublin. From these, and some further notices among these letters, it is evident that, in addition to what active and useful benevolence maintained in the external economy and occupations of the bishop and his household, their hours of domestic leisure were filled by pursuits of improvement, and ruled by cultivated taste. We also trace in such notices the first impulses of the school of British art, at the same time, or soon after, beginning to arise, when, in the following reign, our countryman Barry, with West and Reynolds, Wilson and Gainsborough, led the van, and dispelled the reproach of English genius. Similar interest appears also to have been taken in the cultivation of music. Considerable efforts were made to procure the best instruments, among which the bass viol seems to have occupied a principal share of the bishop's care. A musical teacher was taken into the family, to instruct all the children; so that, as the bishop wrote, they were "preparing to fill my house with harmony at all events,"—Mrs Berkeley adding to her other accomplishments that of song, and, in her husband's opinion, "inferior to no singer in the kingdom." In a letter of invitation to Mr Gervais, he says, "Courtiers you will here find none, and but such virtuosi as the country affords—I mean in the way of music, for that is at present the reigning passion at Cloyne. To be plain, we are musically mad."

In those portions of the bishop's correspondence which we have seen, there is transfused the happiest vein of all the best affections of human nature, combined with an easy and graceful wit, and a polished refinement of thought and style, hardly to be found united in the same degree in any other letters we can recollect.

From time to time he continued to write and publish pamphlets on various topics of public concern, which had very considerable effect. His *Queries* were printed in 1735; a *Discourse* addressed to Magistrates in 1736; *Maxims* concerning Patriotism in 1750; all, now collected in his works, remain memorials of his wisdom and zeal for the public good.

Towards the end of his episcopate he addressed an appeal to the Roman Catholic clergy of Ireland, entitled "a Word to the Wise" (1794), exhorting them to preach the gospel of work and self-reliance to their flocks. They returned publicly, in the *Dublin Journal* of the day, their "sincere and hearty thanks to the worthy author; assuring him that they were determined to comply with every particular recommended in his address, to the utmost in their power." They add that "in every page it contains a proof of the author's extensive charity; his views are only towards the public good; the means he prescribeth are easily complied with; and his manner of treating persons in their circumstances so very singular, that they plainly show the good man, the polite gentleman, and the true patriot."



In 1744, was published his celebrated treatise on the Virtues of Tar-water, under the title of *Siris*. It is remarkable for the proof it contains of vast and various knowledge, and of a curious and imaginative intellect. Commencing with tar-water, he ascends, by a connected series of reflections, to the utmost reach of thought.

In 1752, he put into execution a design which had for many years occupied his mind. As his health began to give way from a sedentary habit, unsuited to his robust frame of body, and his enjoyments began more to depend on the communion of learned society; and when, perhaps, he began to feel a sense of diminished capability for the important duties of his station, a wish began to grow for the retirement of a university. To such a mode of existence he always had a strong inclination. The entry of his son in Oxford University seems to have given the determining impulse to his resolution. He had, indeed, fallen into a very distressing state of health; a colic, which "rendered life a burthen to him" for a time, had given way to sciatica; and when he landed in England he was compelled to travel in a horse-litter to Oxford.

As he was deeply sensible of the obligations of a bishop to his diocese, he endeavoured to obtain an exchange for some canonry at Oxford. When that failed, he wrote to the secretary of state for leave to resign his bishopric. The king was astonished at so unusual a petition; he declared that Berkeley should die a bishop in spite of himself, but gave permission that he might live wherever he pleased.

The last act of Berkeley on leaving Cloyne was, to sign a lease of the demesne lands of the see, in the neighbourhood of his dwelling, for £200 per annum, of which he directed the distribution among the poor housekeepers of Cloyne, Youghal, and Aghadoe, till his return.

His residence in Oxford was not long. On Sunday evening, Jan. 14, 1753, as he was sitting among his family, and engaged in listening to a sermon of Sherlock's, which Mrs Berkeley was reading to him, he expired so quietly that the fact was not perceived till some time after, when his daughter approached to hand him a cup of tea, and perceived that he was insensible. On further examination, he was found to be cold and stiff. The disease is stated by his biographer to have been a palsy of the heart.

He was interred in Christ Church, Oxford, and a marble monument erected by Mrs Berkeley, for which an inscription was written by Dr Markham, the head master of Winchester and afterwards archbishop of York. It is as follows:—

Gravissimo præsuli  
 Georgio, Episcopo Clonensi :  
 Viro,  
 Seu ingenii et eruditionis laudem,  
 Seu probitatis & beneficentiæ spectemus  
 In primos omnium ætatum numerando  
 Si Christianus fueris,  
 Si amans patriæ,  
 Utroque nomine gloriari potes  
 Berkleium vixisse.  
 Obiit annum ægens Septuagesimum tertium .  
 Natus anno Christi M.DC.LXXIX.  
 Anna Conjux  
 L. H. P.

There is, it is observable, an error of ten years in the statement of his age. Having been born in March, 1684, he died in January, 1753, which gives nearly 69 years of age at his death.

The moral character of Berkeley, if not sufficiently indicated in the foregoing memoir, is universally known to all who take any interest in literary history.

He is described as "a handsome man, with a countenance full of meaning and benignity; remarkable for great strength of limbs; and, till his sedentary life impaired it, of a very robust constitution."

It remains to offer some account of his principal writings, which must always fix his place high among that class which has taken to itself the title of philosophic.

The estimate of Berkeley as a metaphysical writer, is attended with those difficulties which must needs belong to questions which have no real data, and on which human opinion and subtlety can be exercised without limit. To see his intellectual character rightly, and to form some estimate of the tendencies so strongly and curiously displayed in his most eminent compositions, it may be useful to keep in view the peculiarities already pointed out in this memoir; his disposition to reject the conventions and received notions of society, and to turn with fearless, but not always prudent or fortunate independence, to seek new methods and inferences for himself. This tendency, common, we are inclined to suspect, to a large class of reasoners, is pre-eminently characteristic of Berkeley. With the keenest perception of logical fallacy, he was in some measure the slave, rather than the master, of a boundless ingenuity in the invention of reasons. All that could be said for or against any opinion which it was his will, or which he considered it fit and right to maintain and contest, seems to have been before him. But, far less sagacious in selecting than in maintaining, it depended on the previous truth or fallacy of his proposition whether his reasoning was to be just or the contrary. To the result his understanding appears comparatively indifferent: in the selection of data not scrupulous; but in the chain of intermediate reasoning he is perhaps unmatched. The subtlety, the invention, and intellectual daring which rendered him a formidable opponent to all other sophists, were always ready to betray himself into error. Upon the whole, he affords a remarkable instance of the danger of maintaining truth by those weapons which have usually been employed in the propagation of error—a range of subtlety and specious invention which are not fit to be employed upon realities that, so far as human apprehension can go, are too gross and palpable for such nice and insubstantial instruments.

Of these remarks, Berkeley's philosophical writings offer the very aptest examples. We shall begin with some notice of his celebrated immaterial theory; but for this (according to our view of the question) a brief digression is required.

The origin of the entire class of reasoners among whom Berkeley is to be numbered, may, perhaps, be referred to the conception of a pure intellectual science, by which mind and its laws might be reduced to a system, reasoned out from assumed definitions, as in geometry. This at least will, for the present serve our purpose, as it is involved as a

primary assumption in all the theories of Berkeley, Hume, and others; and is a main consideration, often essential, in tracing their errors and fallacies.

Mr Locke, who, in point of fact, is the great antagonist of all metaphysical assumptions, and who, in his attempts to reason from observation alone, fell into some errors of method, which were in a measure incidental to such a daring innovation; justly estimating the importance of unambiguous language as an instrument of communication, failed to notice and guard against the error which was then, and is still, liable to result from the use of definitions, in an inquiry upon a subject so little known as that upon which he was engaged. To define the fundamental assumption on which a theory is to be constructed, as in pure geometry, is an essential law of right reason; but in the *a posteriori* way to the analysis of existing facts, it is a most preposterous inversion of the only available process; this must begin by the observation of actual phenomena, which are the only admissible principles. In metaphysical science the definition must be the end, not the beginning; and it is to be observed, by the way, that all the vague and inconclusive writing of this class of writers since Locke, has arisen from their anxiety upon the subject of a precise nomenclature. To the distinct notice of such an error, there was in fact nothing to lead Mr Locke—he did not himself fall into it, but he did not guard against it, and his followers were misled by an imagined precedent. It had till his time been the universal custom to define for the purpose of theory—he defined, but it was only for clearness; and the consequence has, unhappily, been confusion. But in Mr Locke's reasonings no error was thus risked, because, in fact, he did not make any use of the definition thus laid down, but proceeded to exercise his sagacity upon phenomena alone.

He was soon followed by a succession of genuine metaphysicians, who, for the most part, misunderstood his language so far as it had direct meaning, and adopted his error as a foundation for their researches. His definition of a simple idea false *in terms*, was not so in the intent of Mr Locke. While he availed himself of it no further than it was true, they seized upon it in its *verbal* sense, in which it was a most extravagant assumption, and followed it out with a fidelity irrespective of facts, which, as it were, stared them in the face.

Mr Locke has, we should observe, been subsequently mistaken by both critics and students who were far from falling into the errors of Berkeley and Hume. Of these all have agreed that his definition is erroneous; but many have committed the oversight of insisting that he meant the error it contains, because the same error frequently appears involved in his language; while some very justly—if they went but a little further—have observed that this language is frequently inconsistent.

But such was the result of having an unguarded definition and a loose language, while not a single stage of his reasoning ever depended on either, but upon a very close observation of the intellectual phenomena. It was only that he might be understood that he defined; but not designing any system constructed out of the use of words he



neglected to perceive to what consequences his definitions exposed him. And to those who are under the impression that he meant more than is here assigned, we must suggest that, although he obviously endeavours to use the same words in the same sense, yet he never in any one instance attempts to theorise upon this definition. From this definition, indeed, the consequences are so plain, that it must have led him very much into Berkeley's view. How, then, is it—it may be asked—that Locke has fallen into an error seemingly so gross? We think it obviously thus: the elementary phenomena of the mind are, so far as they can be explained, referred to no genus, and *cannot be defined*. The attempt involves some assumption for which there can be no warrant, and therefore involves a theory which is unlikely to be true, and impossible to prove.

But Locke actually did not intend a logical definition; he fell into such inadvertently in the attempt to give a *meaning*. This was the process of his mind—"As this book is to be about *ideas*, I must begin by telling what I mean by an idea; for though it is a word which every person of common sense understands very well, yet the philosophers, whose extreme penetration is too great to understand anything, may, as they have done, object or assign some scholastic sense conformable with old theories. By an idea, I mean no more than the thought which passes through the mind when thinking, whatever it may be; that is to say, the object of the mind in thinking." This unhappy periphrasis for the word *thought* was liable to an obvious construction, by simply turning an idiom of speech into scientific precision. Had Locke said, "the act of the mind when thinking, or the state or process," this error would have been escaped, though other fallacies might have been devised by human ingenuity. But it was easy to see that this *object* of the mind must be something distinct from the mind itself, and it was easy to prove it to be distinct from any external thing.

But let us now turn to the consequences deduced by Berkeley from this fruitful error.

If a *simple idea* is the object perceived by the mind, and if it can be shown that it has no ascertainable relation to the external thing of which it is the supposed, representative, it becomes plain that there is no certain evidence of the real existence of the thing of which such uncertain representations are thus presented to the mind. In this point the entire of Berkeley's argument will be found. Among the various fallacies which are comprised in it, besides that which we have noticed at length, there are others also worth observation. Were we to grant the unwarrantable definition, the argument, at most, but goes to prove what should in common sense have been seen at the outset, that the actual existence of external things cannot be demonstrated from the *mere* fact of our perceptions. Of this Berkeley had a full sense; and, consequently, his conclusion is afterwards stated by himself to be, not that the external world does not exist, but that we have no direct perception of its existence, and that this existence is in the mind of God, in which we perceive it—that is to say, that those ideas which are the actual objects of the mind in thinking, are ideas in the mind of God.

Now, it is curious with what narrow precision Berkeley has, in the

course of this argument, excluded on every side every portion of fact which did not suit his reasoning. For, granting the idea to be a distinct object, still those very variations of appearance, and that want of unchanging coincidence between the idea and the thing, from which he disproves the evidence which the senses are supposed to give of such things, are so far from correctly leading to such a conclusion, that they are absolutely the very best proof that can be found of the reality of external phenomena. They are the *demonstrable* and calculable results of the properties of external phenomena—distance, motion, magnitude, &c.; insomuch, that a much better argument can be constructed from the same considerations *for*, than *against*, the direct evidence of our perceptions. We do not mean to affirm that this would amount to a demonstration; but it would certainly destroy the force of any opposite inference from the same premises. And, what is equally curious, were those variations and differences wanting, the fact would lead with far more conclusiveness to Berkeley's theory. Could we perceive no differences of degree in operations and processes, it is evident that we could not perceive them at all: it would imply a contradiction in terms. If we could see a house at the distance of a mile, and at twenty yards, so as to give precisely the same image, we should have demonstration against the evidence of sight.

As for our perception of ideas in the mind of the Supreme Being, it seems to contain a strange oversight. It is indeed evident to what an extent Berkeley, and all the reasoners of his class, have reasoned exclusively on certain words and definitions, so as entirely to shut out the ordinary conditions inseparably connected with all knowledge. If this proposition were simply to be confined to a certain limited class of ideas, which are those evidently contemplated by Berkeley, it would be difficult to deal with his assertion. But what is true of a simple idea, is universally true of every idea on the very same ground; and, consequently, the whole farrago of human folly, sin, error, and contradiction, must be the substance of the divine thoughts—even the doubts of his existence must be among the heterogeneous mass.

When he affirms or attempts to prove that things can have no real existence distinct from their being perceived, it is quite plain that his asserting that he does not deny their real existence, amounts to nothing; for such is not the meaning of real existence. The arguments by which he reduces things to ideas absolutely destroy their *real* existence, in any sense but that of a fleeting succession of contradictory thoughts.

To pursue this question farther is beyond our limits, and the design of this work. Berkeley was accused of overlooking the statements of the Scripture with respect to the creation—the consideration which stopped Malebranche. But, indeed, it is easy to see how Berkeley could dispose of such an objection. It would be no long step to transfer Scripture to the mind from which it came; yet the answer, too, is ready—Scripture is not merely a train of ideas, but of affirmations and negations about an external state of things, and these must be true or false.

We must now pass to another Essay of less importance, did it not curiously illustrate all the same dispositions of the mind—the zeal that

would maintain truth by any power of sophistry, or even at the sacrifice of reason itself. As arguments drawn from the properties of reason for the denial of the existence of matter; so, as an eminent mathematician had thought it reasonable to assail Christianity on the ground of its mysteries, Berkeley made an attack on an important branch of mathematics on the same ground.

There is, indeed, in the very conception, a singular oversight in Berkeley's Analyst. To answer the alleged intention of his argument, it should run thus,—You affirm that Christianity is untrue, because it consists of certain mysteries; I will show you that there are similar mysteries in mathematics, *which true are nevertheless*. Now, if this argument should be conducted by *showing the fallacy* of these mathematical mysteries, it simply rejects them as false mathematics, or at best leaves the objection of the deist untouched; for, to complete the analogy in which the answer consists, the mysteries of Christianity should also be given up. If, however, Berkeley had shown that such contradictions, or such inconclusive reasonings as he points out in the fluxionary calculus are such but apparently, and by reason of the fact that the secret of the intellectual process had not been found out, he would then have precisely done what he proposed; for, the mysteries of divine truth are nothing more in this respect than facts, of which but part is known, and which are not within the limits of human knowledge.

When we first chanced to look at the Analyst, we were under the impression that such was actually the design of Berkeley, and that his controversial tone and allegations of sophistry were but the trick of reasoning to set the point in its broadest light. But, in fact, he is bitterly and angrily sincere, and seems altogether to lose sight of his purpose in the heat of controversy. The argument, however, exhibits both the acuteness of his reason, and—may we venture to say it?—the unsoundness of his judgment. To grant his conclusion and take the question in its most difficult aspect, a certain process, one of the steps of which is a false assumption, leads, by some process not intelligible, to a result *uniformly* correct. Now, what is the objection?—briefly and substantially it is this,—the conclusion is not attained by any known process of logic. This would be fair enough if any known process of logic could, from the same conditions fairly used, prove the possible fallacy of the conclusion: to do this, however, we have to observe, not only the ascertained process must be tried by this test, but the *secret* condition must be included. This is, by the hypothesis, impossible. Next, it is to be considered that if Berkeley's view be correct, the true result is obtained by a compensation of errors. It is evident that there can be no fallacy in the reasoning of the process, unless this compensation can be shown also to be *accidental*;—this is not alleged, and the argument correctly stated on his view would be this,—there is a certain method of reasoning which discovers truth by the compensation of opposite errors. The fact is this,—the initial statement makes an omission, which the conclusion rectifies by a necessity arising from the hypothesis itself. But if the compensation is just, and the uniform result of a process, there is no fallacy; it is simply one of the processes of reason in the discovery of truth. It is



either a new law, or reducible to an old law of logic; but the argument, which when correctly used leads to a true conclusion, is not a sophism. It is curious enough that Berkeley's objection to the calculus is, in fact, the principle into which Carnot resolves it.

But indeed it is not difficult to perceive that the errors supposed are merely resources of calculation—the actual logic contains no contradiction, which is really to be found in Berkeley's mistake as to the intent and real process of the argument. Berkeley's main objection may, for clearness, be resolved into two. That the reader, who is not conversant with such questions, may understand these, a simple statement of the nature of the reasoning to which he objects will be necessary. If certain variable quantities are so related to each other, that as one of them is taken greater or less, the other will also increase or diminish according to some ascertained law, and that it is desired to ascertain the state which is the limit of those changes. A statement of the known conditions is made in a form called an equation, which is supposed to represent the variable quantities, together with their supposed increments and decrements. This equation is not, as in common algebra, a statement in which all the values are supposed *fixed*, and serving to ascertain the *precise value* of the unknown from the given quantities. It is, in fact, the statement of a hypothesis *essentially implying the contrary*, and made for the purpose of reasoning on a state of *continued* change; consequently, it represents an *initial state*, from which a final state is to be deduced: therefore, it is evident that the very law of reason to which Berkeley objects, is the *accurate logic of the question*; for a hypothesis must be made in the first equation, which must disappear in the last. The *question* is,—if such increments go on continually lessening, and may be assumed therefore indefinitely small or nothing, what will be the consequence? But there is in the objection, to which this is the answer, another sophism: Berkeley attempts to show that the equation is false, and, strictly speaking, it is so, according to the laws of common algebra; tried by the assumed test it would be found to want certain quantities. But these are the very quantities which must necessarily go out by the very principle above stated—terms which would add much complication in the reasoning, and have no effect in the conclusion, and have, therefore, by a universal rule of reason, been omitted in a compendious process, which does better without them. Now, one of Berkeley's arguments consists in a calculation by which he makes these quantities appear,—which the ordinary method of fluxions does not exhibit. He thus appears to falsify the ordinary process. But the reply to this objection is, that the omission of certain considerations, for the convenience of an argument, in which it is essentially implied that they are unimportant, is not a fallacy. The equation, in its first form, is a statement of the *effective conditions* of a question; and all Berkeley's objections could be met by simply adding *et cetera*. So far relates to the algebraic method: the answer is, however, completed by a consideration which will lead to the other point. The reason why the omission is of no importance is this: that the *variables* being supposed to pass through all the successive states of magnitude, while the increments, or decrements, diminish to a certain state, in which they cease to exist—the question is, to deter-

mine or prove this state. And this is determined by assuming the symbol expressing the increment to be  $= 0$ , the equation must then be such as to indicate the sought *limit*; and the quantities which were involved in the omitted part of the difference, must have ceased to exist. If the question were, what would be the result, supposing the variables to *stop half way*—all Berkeley's reasoning would be conclusive, so far as it applies. Against the conclusion itself he offers another curious cavil. But the mathematical reader does not require this exposition; and for the reader unversed in such considerations, we have perhaps gone to the utmost limit of clearness. Berkeley's objection to any conclusion being founded on a ratio, of which the quantities are evanescent, has been anticipated by Newton, in a scholium, contained in the first section of the first book of his *Principia*. We shall, therefore, here conclude with the observation, that Newton's own statement of the intent of his method should have set Berkeley on a juster course of reasoning. "But because the hypothesis of indivisibles appears more hard, and, therefore, that method has been considered less geometrical, I have thought fit rather to found the demonstrations of the following propositions upon the *first and last* sums and ratios of nascent and evanescent quantities; that is, to the *limits* of those sums and ratios."\* It is, if just, curious enough, that Berkeley's objection to what he calls an erroneous equation, might be obviated by the addition of an "&c."

If the reader should desire to see Berkeley's powers to advantage, he must look for them in his attacks upon the sophistry of others—in the *Minute Philosopher*, and in portions of his *Theory of Vision*.

We have, in this memoir sufficiently noticed the first of these excellent compositions.

His new *Theory of Vision* is curious for the mixed evidence it gives of the disposition of his understanding to the illusions of his own subtlety, and the clearness of his apprehension when judging of the fallacies of others. It indeed seems not a little curious how much of the sounder portion of his conclusions, seems to be the result of unsound reasonings. In his disproof of the external world, he dissipates the erroneous doctrines of abstract ideas. His *Theory of Vision*, evidently composed for the same purpose, also draws from him the most admirable details and the rectification of old fallacies. But the subject would lead us too far from any purpose connected with these memoirs.

\* "Sed quoniam durior est indivisibilium hypothesis, et propterea minus geometricæ censetur; malui demonstrationes rerum sequentium ad ultimas quantitatum evanescentium summas et rationes, primas nascentium, id est ad limites summarum et rationum deducere."





## DR PATRICK DELANY.

BORN A.D. 1686.—DIED A.D. 1765.

DR DELANY, the friend of Swift, Gay, Bolingbroke, and of the other wits of his time, was himself a man of wit and learning, and possessed of higher moral attainments than most of his gifted associates. His ancestors were of low extraction,—his father having served as a domestic in the family of Sir John Rennel, an Irish judge; and he afterwards rented a small farm, by which he was enabled to give his son the education of a gentleman. Having made a good proficiency at a common grammar-school, he entered Dublin college as a sizar, and obtained a high reputation both for good conduct and learning. He was justly celebrated as a preacher, though his compositions were more remarkable for a brilliant and excursive imagination, than for close reasoning. He was early noticed by the chancellor, Sir Constantine Phibbs, for his “learning, virtue, discretion, and good sense;” but, being then a fellow of the college, the chancellor could not prevail on him to leave its quiet seclusion, or offer him any equivalent for the advantages he possessed. On the arrival of Lord Carteret as lord-lieutenant, Swift, who had long been in habits of the closest intimacy with him in England, introduced his friend with a strong recommendation for his advancement in the church; and his recommendation was countenanced and supported by that of the archbishop of Dublin. Lord Carteret himself, a man of refined taste and high acquirements—or as Swift says, possessing the same “fatal turn of mind for heathenism and outlandish books and languages”—fully appreciated the charm and value of Dr Delany’s society and friendship; and he quickly became almost domesticated at the castle. At this period he was a senior fellow, and between his pupils and fellowship, possessed an income of about £1000 a-year. His social and intellectual tastes were unsuited to the monastic restraints and engrossments of a college life, but met their fullest encouragement, gratification and development, in the refined and polished circle of the court. An unfortunate dispute in which he took part, and sided with the aggressors, respecting college discipline, made his residence there still more irksome; and having given personal offence to the provost, by very unadvisedly alluding to the subject in a sermon preached in the college chapel, his subsequent preferment was thought to have been materially obstructed. In 1725, he was presented by the chapter of Christ’s church to the parish of St John, in the city of Dublin; and it became necessary to obtain a royal dispensation, in order to hold this along with his fellowship. Primate Boulter and the archbishop of Dublin interfered, and the dispensation was refused. For this interference the primate assigns political reasons; and, speaking of Dr Delany, says, in a letter to the Duke of Newcastle:—“He is a great tory, and has a great influence in these parts; and it were to be wished for his majesty’s service that he might be tempted by some good country living to quit the college; but, if he has St John’s with his fellowship, there can be no hopes of his removal. . . .



I must, therefore, desire your Grace that if any application be made on the other side of the water, for his majesty's dispensing with the statute of the college, relating to the value of a living that may be held with a fellowship, that your Grace would get it stopped." In a letter to the archbishop of Canterbury, after thanking him for refusing the faculty, and asserting that it was not out of any "ill-will to the person he opposed it," he adds, "but I am now a little surprised with what I did not then know, that his application was not to be dispensed with from the obligation of any statute, but of an oath he had taken never to hold such a benefice." The chancellorship of Christ's church becoming subsequently vacant, and being offered to his acceptance, he was induced to resign his fellowship and take it in conjunction with a small college living—the combined income of both scarcely exceeding £200 a-year. He, of course, calculated on certain and immediate preferment—considering the personal regard evidenced for him on all occasions by the Lord-lieutenant, along with the high recommendations he brought, a sufficient warrant for such an expectation. He had, however, yet to acquire that lesson so seldom learned, not to "put trust in princes, or in any child of man; for there is no help in them." Party-spirit at this time ran very high, and moderation or neutrality was not tolerated. From not publicly and boisterously espousing the side of government, he was at once considered as belonging to the opposite ranks. A political under-current was working against him, upon which he had not calculated, and which he scarcely understood. Accustomed to a free expenditure, and being of a very benevolent disposition, he became quickly embarrassed; and though a prebend in St Patrick's Cathedral was added, it did little to extricate him—contributing scarcely more than £100 a-year to his very limited means. He still continued an attendant and guest at the castle, "wasting good days that might be better spent;" admired and complimented, but not provided for. In 1729 he addressed a poetical epistle to Lord Carteret, in which he strongly and playfully puts forward his claims and necessities, and supposes a conversation to take place between himself and the Lord-lieutenant, when

"His brow less thoughtfully unbends,  
Circled with Swift and his delighted friends."

He then shows how hard it is to have his

"Titles ample; but his grain so small,  
That one good vicarage is worth them all.  
And very wretched sure is he that's double  
In nothing but his titles and his trouble."

He concludes in answering to a supposed question as to the extent of his expectations:—

"Excuse me, good my lord, I won't be sounded,  
Nor shall your favour by my wants be bounded.  
My lord, I challenge nothing as my due,  
Nor is it fit I should prescribe to you.  
Yet this night Symmachus himself avow,  
(Whose rigid rules\* are antiquated now).  
My lord! I'd wish to pay the debts I owe—  
I'd wish besides—to build, and to bestow."

\* Symmachus, bishop of Rome, 499, made a decree, that no man should solicit for ecclesiastical preferment before the death of the incumbent.

Neither this epistle, nor Swift's caustic "vindication of Lord Cartaret from the charge of favouring none but tories, high churchmen, and Jacobites," in the year following, appears to have had any effect.

In this defence he says, "but since the Doctor has not in any of his writings, his sermons, his actions, his discourses, or his company, discovered one single principle of whig or tory; and that the lord-lieutenant still continues to admit him, I shall boldly pronounce him one of us; but, like a new Freemason, who has not yet learned all the dialect of the mystery. Neither can he justly be accused of any tory doctrines; except, perhaps, some among those few, with which that wicked party was charged during the height of their power, but which have been since transferred, for the most solid reasons, to the whole body of our firmest friends."

In 1731, archbishop Boulter furnished him with the following letter of introduction to Dr Gibson of London, to whose opinion he submitted a theological work, entitled "Revelation examined with Candour; or, a fair enquiry into the sense and use of the several revelations expressly declared, or sufficiently implied, to be given to mankind, from the creation, as they are to be found in the Bible."

"MY LORD,—The person who waits upon you with this is Dr Delany, minister of one of the principal churches in this city, and one of our most celebrated preachers. He has, of late, employed his thoughts and pen in the vindication of our most holy religion, and has some thoughts of printing what he has written, if it should be thought to be of service. I knew of no person to whose judgment it was more proper to submit his performance than your lordship, who have so happily engaged yourself in the controversy, and seem to have the conduct of the defence of our most holy cause against the present most audacious insults of unbelievers. He comes over with a disposition to submit his writings, and the printing of them, to your lordship's opinion."

The work was considered at the time calculated to be useful to the cause of religion, but it was too fanciful and speculative for such a purpose. His style, also, was too florid and declamatory, more likely to dazzle than to convince; and while his writings show great ingenuity and learning, the reasoning is frequently unsound and inconclusive. In one of Lord Bolingbroke's letters to Swift, he says—"It happened while I was writing this to you, the Doctor came to make me a visit from London, where I heard he was arrived some time ago: he was in haste to return, and is, I perceive, in great haste to print. He left with me eight dissertations, a small part as I understand of his work, and desired me to pursue, consider, and observe upon them against Monday next, when he will come down again. By what I have read of the first two, I find myself unable to serve him. The principles he reasons upon are begged in a disputation of this sort, and the manner of reasoning is by no means close and conclusive. The sole advice I could give him, in conscience, would be that which he would take ill, and not follow."

Pope adds in the same letter, and on the same paper, "Dr Delany's book is what I cannot commend so much as Dean Berkeley's, though

it has many things ingenious in it, and is not deficient in the writing part: but the whole book, though he meant it *ad populum* is, I think, purely *ad clerum*."

While in London, he married a widow lady of Irish family, possessed of a very ample fortune, by which he was enabled to exercise his generous dispositions, to gratify his taste, and indulge both his literary and hospitable inclinations. During the next ten years, he wrote and published a variety of works, amongst which was the "Life of David, King of Israel," in which he shows much learning and critical skill, combined with great defects of style and judgment.

He had a small villa about a mile from Dublin, where he was in the habit of collecting around him a select circle of literary friends of the highest order, among whom were Swift, Mrs Pendarves, &c. This lady writes to Swift:—"The cold weather, I suppose, has gathered together Dr Delany's set: the next time you meet, may I beg the favour to make my compliments acceptable? I recollect no entertainment with so much pleasure, as what I received from that company: it has made me sincerely lament the many hours of my life that I have lost in insignificant conversation." This lady, who, ten years after, married Dr Delany, was the widow of Alexander Pendarves, Esq., a gentleman of large property in Cornwall; and she subsequently became remarkable for the close intimacy and friendship with which she was honoured by King George III. and Queen Charlotte. Her name was Granville—she was the neice of Lord Granville. In 1735 Dr Delany was promoted to the deanery of Down, in the room of Dr Thomas Fletcher, who was advanced to the bishopric of Dromore. He secluded himself much from society, and withdrew from those literary meetings which had been productive of so much enjoyment to all their members. In writing to Swift, Mrs Pendarves says:—"I cannot help lamenting Dr Delany's retirement. I expected his benevolent disposition would not have suffered him to rob his friends of the pleasure and advantage of his company. If you have not power to draw him from his solitude no other person can pretend to do it. I was in hopes the weekly meetings would have been renewed and continued. Mrs Donnellan is much disappointed, and I fear I am no longer a toast." Her friendship for Dr Delany ripened, after the death of his wife in 1741, into a still higher regard; and after nineteen years of widowhood, she was married to him in 1743. Her first marriage had not been happy; but this one, which lasted twenty-five years, was one of uninterrupted enjoyment. Her friend Mr Keate says:—"She had every virtue that could adorn the human heart, with a mind so pure and so uncontaminated by the world, that it was matter of astonishment how she could have lived in its more splendid scenes, without being tainted with one single atom of its folly or indiscretion. The strength of her understanding received in the fullest degree its polish, but its weakness never reached her. Her life was conducted by the sentiments of true piety."

Swift, in writing of Dr Delany, says:—"He is one of those very few within my knowledge on whom an access of fortune hath made no manner of change." After Swift's death, when Lord Orrery's ungenerous libel was given to the public, Dr Delany became its zealous



and successful refuter; and his noble and devoted fidelity to the outraged memory of his friend makes a happy contrast to the malignity of his traducer. It may be worth mentioning here, on the authority of Mr Monck Berkeley, son to the bishop of Cloyne; the anecdote which is supposed to have given rise to this unlooked-for attack. Lord Orrery having one day gained admission to Swift's library, discovered a letter of his own, written several years before, lying still unopened, and on which Swift had written, "This will keep cold." From such trifling incidents do the bitterest enmities frequently arise; and life and character have been sacrificed to appease wounded pride, or avenge ridicule.

During this period of his life, he suffered much annoyance from a protracted lawsuit respecting the property of his first wife, which, after nine years' suspense, was decided against him in the Irish Court of Chancery; but, on an appeal to the House of Lords in England, that judgment was reversed, and the doctor was secured in his possessions. His income was, for the last twenty years of his life, about £3000 per annum; yet he left little behind him besides books, plate, and furniture. He lived in a handsome and expensive style, but never left himself without the means of relieving distress, or rewarding merit. His simplicity of character was as remarkable as his generosity. An amusing example of this is given by his biographer. In the reign of George II., being desirous of preaching before his majesty, he obtained from the Lord-chamberlain, or dean of the chapel, the favour of being appointed to that office on the fifth Sunday of some month, being an extra day, not supplied *ex officio* by the chaplains. As he had not been informed of the usual etiquette on the occasion, he entered the royal chapel after the prayers began, and not knowing whither to go, crowded into the desk beside the reader. The vesturer soon after was at a loss for the preacher, till seeing a clergyman kneeling by the reader, he concluded him to be the man. Accordingly he went to him, and pulled him by the sleeve. But Dr Delany chagrined at being interrupted in his devotions, resisted and kicked the intruder, who in vain begged of him to come out, saying "There was no text." The doctor replied that he had a text; nor could he comprehend the meaning, till the reader acquainted him that he must go into the vestry, and write down the text (as usual) for the closets. When he came into the vestry, his hand shook so much that he could not write. Mrs Delany, therefore, was sent for; but no paper was at hand. At last, on the cover of a letter, the text was transcribed by Mrs Delany, and so carried up to the king and royal family.

Dr Delany died at Bath, in May 1768, in the eighty-third year of his age.

## PHILIP SKELTON.

BORN A.D. 1707—DIED A.D. 1787.

THIS very able writer in support of revealed religion was born in 1707, and received his education in the Dublin University. Some time after taking his degree, he obtained the curacy of Monaghan, in which his conduct as a Christian clergyman was no less worthy of distinction than the talent and industry with which, in a very infidel age, he maintained the truth of revealed religion. With a salary of forty pounds a-year, he allowed ten for the support of his mother.

From this curacy he was removed by Bishop Clayton to the living of Templecarne, a wild and extensive parochial district on the borders of Fermanagh and Donegal. Here he found a population entirely ignorant of Christianity, and exerted himself with the most devoted and exemplary diligence in their instruction. During this interval of his life, he wrote a tract proposing "the revival of Christianity," which attracted public notice, and was attributed to Swift. It was, perhaps, while engaged in the arduous labour of a Christian teacher, in a scene pervaded by the deep spiritual obscurity which then prevailed in every class, that his mind was deeply impressed with a strong sense of the scornful discountenance which religion met from the upper classes of country gentlemen. The able and effective work which he wrote to expose the infidelity of his time, seems to be strongly impregnated with such a sentiment. His arguments are stated in the form of controversial dialogues, with all the force, though without the refined skill and eloquence, of Berkeley. The argument proceeds on the fiction that a man of large property, a lawyer, and a deist, visits the neighbouring parish church with his ward, a young gentleman whom he is desirous to preserve from all taint of religious belief. Offended with the preacher for bringing forward some arguments in favour of religion, he invites him to a controversy; the clergyman assents, and the argument is continued for several days in succession. Mr Skelton, in the management of his argument, displays powers both of statement and reasoning of a high order, and a most extensive acquaintance with a subject of great variety and extent. He is greatly to be praised for the fairness with which he states the arguments of the deist, and as much for the conclusive force with which he replies.

The popular value of such a work is not, however, quite equal to its merits. While the evidences of revealed religion must always continue the same, every age has brought forth some form of unbelief peculiar to itself; infidelity is always changing its shape to escape from its slayers.

In Mr Skelton's lifetime such a work was of importance. He went to London to look for a publisher, and by his own account, the person to whom it was committed for an opinion was Mr Hume, who advised the publisher to print it. This work is, we believe, now scarce: it is entitled *Ophiúcus, or Deism Revealed*.

He was no less distinguished for his strenuous and well-directed

labours as a Christian pastor than as a writer, though the latter was in his time more rare.

A complete edition of his works in six volumes was published by R. Baynes.

THE REV. DR LELAND, F.T.C.D.

BORN A.D. 1722—DIED A.D. 1785.

THOMAS LELAND was born in the city of Dublin, in the year 1722. He was placed at the school of the celebrated Dr Sheridan. In his fifteenth year he entered the University of Dublin as a pensioner, and obtained a scholarship in 1741. In 1745 he first sat for the fellowship, without success; but the next year was unanimously elected. He entered into holy orders in 1748; and it is mentioned by one of his biographers, that his deep sense of his spiritual obligations was manifested in an essay, then much admired, though not now extant, on *The Helps and Impediments to the Acquisition of Knowledge in Religious and Moral Subjects*. A few years after, he is said to have been commissioned by the University to publish an edition of Demosthenes. It was in 1756 that he published the first volume of his well-known translation of Demosthenes, which was completed in three volumes, between that time and 1770. This, with the critical and historical capability displayed in his notes, raised and extended his reputation among the learned men and universities of England. Not long after the publication of the first volume of his translation, he published (in 1758) his history of Philip, king of Macedon; and having, in 1763, been appointed professor of oratory by the Board, he obtained no less distinction by a dissertation upon eloquence; which having been attacked by Warburton and Hurd, he replied in two successive publications, and obtained, according to the opinions of the ablest critics and scholars of his time, a decided victory over both. We shall not here enter upon this curious controversy, as it could lead to no useful end. The position of Warburton was, like many of his opinions, absurd, and ably maintained. Leland's next undertaking was a history of Ireland, written in the model style of the best ancient or modern histories, and yielding to none in the highest merits of the historian—a lucid and masterly arrangement—a judicious selection of matter—a clear and simple, yet critically elegant style—and a thorough freedom from the influences of party, from which it is so hard to escape anywhere, but nearly impossible in Ireland. Such qualities place him high among historians, so far as regards the intrinsic merits of his work. The historian of Ireland, however, is little likely to be placed in the same scale with the historian of Europe or of England, whatever may have been the success or the real difficulties of his undertaking. Leland had the grave fault, as it is reckoned in Ireland, of being too fair. When writing his history, the well-known abilities of Leland induced many to look to his work, as such works are ever looked to, as an instrument of faction; and he was much urged by several men on both sides to adopt those opinions and tones of statement most













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